

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625**

REGULAR MEETING

December 9, 2010

Chairman Fisher called the meeting to order at 9:20 a.m. In compliance with the "Open Public Meetings Notice", the following statement was read:

"Pursuant to N.J.S.A. 10:4-6 et seq., adequate public notice of this meeting has been provided by giving written notice of the time, date, location and, to the extent known, the agenda. At least 48 hours in advance, this notice has been posted on the public announcement board, third floor, Health/Agriculture building, John Fitch Plaza, Trenton, NJ, mailed and/or faxed to the Newark Star Ledger, the Times of Trenton, the Camden Courier Post, and filed with the Office of the Secretary of State."

Roll call indicated the following:

Members Present

Douglas H. Fisher, Chairperson (Left at 4:09 p.m.)
Richard Boornazian (rep. DEP Commissioner Martin) (Left at 3:10 p.m.)
Fawn McGee (rep. DEP Commissioner Martin) (presided for Mr. Boornazian at 3:10 p.m.)
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff) (Left at 4:09 p.m.)
Brian Schilling (rep. Executive Dean Goodman)
James Requa (rep. DCA Commissioner Grifa) (Left at 2:15 p.m.)
Alan Danser (presided as Chair as of 4:09 p.m.)
Torrey Reade
Stephen P. Dey
Jane Brodhecker
James Waltman

Members Absent

Denis C. Germano, Esq.

Susan E. Craft, Executive Director
Jason Stypinski, Deputy Attorney General

Others present as recorded on the attendance sheet: Robert Baumley, Heidi Winzinger, Hope Gruzlovic, Brian Smith, Charles Roohr, Edgar Madsen, Ed Ireland, Timothy Brill, Cassandra McCloud, Daniel Knox, Bryan Lofberg, Paul Burns, Patricia Riccitello and Sandy Giambrone, John Denlinger, SADC staff, Daniel Pace, Mercer County Agriculture Development Board, David Reiner, Governor's Authorities Unit, Harriet Honigfeld, Monmouth County Agriculture Development Board, Barbara Ernst, Cape May County Agriculture Development Board, Glorianne Robbi, East Amwell Township, Hunterdon County, Nicole Goger, New Jersey Farm Bureau, Beth Davisson, New Jersey Conservation Foundation, Renee Jones and Fawn McGee, New Jersey DEP, William Millette, Hunterdon County Agriculture Development Board, Amanda Brockwell, Monmouth County Agriculture Development Board, Sherry Dudas and Jim Kinsel, Honey Brook Organic Farm, Burlington and Mercer counties, Jennifer McCulloch, Morris County Agriculture Development Board, Frances Gaugaw, Farmer, Hunterdon County, Andy Coeyman, Monmouth County Park System, Ivan Olinsky, William Flemer and Sons, Inc.

Minutes

A. SADC Regular Meeting of September 23, 2010 (Open Session)

Dr. Dey indicated that he had a question regarding a portion of the closed session minutes of November 4th and therefore requested to have a discussion in closed session before the Committee takes action on them.

It was moved by Ms. Reade and seconded by Mr. Schilling to approve the open session minutes of the SADC regular meeting of November 4, 2010. The motion was unanimously approved.

REPORT OF THE CHAIRPERSON

Chairman Fisher discussed the following with the Committee:

- Proposed Rule for Solar AMP

Governor Christie signed off on the proposed rule for the solar agricultural management practice (AMP). He thanked the Committee and SADC staff for all their work in getting this proposed rule to the Governor's Office.

- Outreach

Chairman Fisher stated that the SADC staff and the Department of Agriculture have been trying to do a lot more outreach so that people have a better understanding of the mission and the way that the SADC operates. Ms. Craft made a presentation at the New Jersey Farm Bureau convention, which was widely appreciated. He stated that many people came up to him and stated that they appreciated hearing from the SADC and knowing about all the work it is doing. It was very well received.

- State Board of Agriculture

Chairman Fisher stated that the State Board of Agriculture will hold its convention in February, 2011. It will have some listening sessions concerning the SADC. Last year the SADC discussed wind and solar and we will continue that theme this year.

- Governor Christie's Initiatives

Chairman Fisher stated that Governor Christie is working to rein in government and make it smaller with better deliverables via agencies being more responsible and efficient. Likewise Lieutenant Governor Guadagno is heading the Red-Tape Committee, looking to generate business development. He stated that he is very proud to be a part of an administration that is doing that.

Regarding commissions, many that have not met, some that have met but were not functional, some that were functional but lost focus or viability have been eliminated through the Governor's executive decisions. He stated that as Chairman of the SADC he wanted the Committee members to be cognizant of the fact that there was a document prepared by the NJ DEP that has been released to the public, called a pre-decisional determination, which references transferring the functions of certain agencies to the NJ DEP. The actual wording is "The GSPT should be eliminated and its authorities be transferred to the NJ DEP, which is responsible for a majority of land acquisitions. The SADC's authority over final land easement acquisitions and the New Jersey Historic Trust should also be consolidated in the NJ DEP. These consolidations will enhance the process, eliminate conflicts and result in savings for the State." Chairman Fisher stated that he felt it was imperative to make sure the Committee understands what is being proposed. He stated that he doesn't know what the historic community will feel but he believes that the agricultural community, as Secretary, is not supportive of this proposal. He stated that no determination has been made to

date.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Craft discussed the following with the Committee:

- Nonprofit Roundtable Discussion

Ms. Craft stated that SADC staff held a roundtable discussion with the nonprofit community at the D&R Greenway Johnston Education Center. It was very well attended. One of the areas that was focused on was the nonprofit community would like to be able to participate in the planning incentive grant approach to getting funding from the SADC to be able to block-grant money to their plans so that they have flexibility within that, rather than a parcel-specific allocation of funds. She stated that staff welcomed the opportunity to talk to the nonprofit community and use their input in developing that idea and bringing it back to the Committee for consideration. If acceptable, the SADC would propose to amend the nonprofit rules to incorporate a planning incentive grant approach.

Also discussed were housing opportunities, exceptions and moving houses, to better educate people as to how they should be communicating with their property owners when they are in discussions. The SADC has a one page document on exception areas, which is meant to be a very basic but informative instruction document to landowners so they will understand what an exception is, what the implications of taking one are, etc. The nonprofit organizations felt that was a very good document and have asked for more of that type of tool and staff is trying to accommodate that. The SADC had an intern over the summer who was instrumental in putting that first document together. SADC staff is creating a series of very user-friendly instructional documents on the program so that the landowner can understand more thoroughly at the beginning of the process to submit a complete and accurate application.

- Outreach

Ms. Craft stated that with respect to what Secretary Fisher just related, the county agriculture development boards are the SADC's first target for outreach efforts. The SADC is going to look at staff resources and where people live and make a real effort to get one staff person to each of the county agriculture development board meetings. Currently the SADC attends five or six county meetings consistently. In addition to that we would have some talking points. The Office of the Secretary creates a monthly report, which is a bulleted report on what is going on and talks about hot topics. The SADC would like to have that type of

model so that the staff person attending these meetings will have the basic points that the SADC would like to have covered.

- New Governor's Authorities Representative

Ms. Craft stated that Thomas Hower, who was the Governor's Authorities Unit representative, has left the Governor's Authorities Unit and now is working at the Department of Law and Public Safety in the Attorney General's Office. The new representative will be Brandon Minde. Mr. Minde could not make today's meeting. David Reiner is here today in Mr. Minde's place.

COMMUNICATIONS

Ms. Craft reminded the Committee to take home the various articles provided in the meeting binders. She stated it was reported that Gloucester County announced that it will not be accepting additional farmland preservation applications until such time as the 2009 bond funds are made available through the state. She stated that the SADC has been in communication with the Administration on that issue, along with Treasury. The best that she can say is that the Administration understands the need and that it is taking a hard look at what debt service the State can tolerate in the next fiscal year. It is an on-going dialog at this time.

PUBLIC COMMENT

None

NEW BUSINESS

A. New Enrollment of Eight Year Program

1. Bonham Farm, Hopewell Township, Cumberland County

Ms. Reade recused herself from any discussion/action pertaining to this agenda item to avoid the appearance of conflict of interest.

Ms. Winzinger referred the Committee to the New Enrollments Summary for the Eight Year Farmland Preservation Program. She stated that there is one request for new enrollment. She reviewed the specifics with the Committee and stated that staff recommendation is to grant approval to the new eight year program enrollment as follows:

It was moved by Mr. Danser and seconded by Dr. Dey to approve Resolution FY2011R12(1) granting certification of a new Eight Year Farmland Preservation Program for the following landowner as presented and discussed, subject to any conditions of said resolution:

1. Sarah L. Bonham (SADC #08-0025-8F)
Block 18, Lot 5; Hopewell Township, Cumberland County, 58.70 Acres
Soil and Water Conservation Cost Share Eligibility Amount
(subject to available funding): \$5,870.00

The motion was approved. (Ms. Reade recused herself from the vote.) (A copy of Resolution FY2011R12(1) is attached to and is a part of these minutes.)

B. Soil and Water Conservation Cost Share Grant Requests

Chairman Fisher indicated that there will be various recusals for the soil and water conservation cost share grant requests. He stated that the Committee would review the requests individually and in some instances Mr. Danser would chair the meeting due to his conflict of interest.

Mr. Lofberg referred the Committee to the Status of FY 2009, FY 2010 and FY 2011 Funds for the Soil and Water Conservation Project Grants Program. He stated that there is \$352,593.15 available for soil and water conservation cost share grant projects as outlined on the Status Report. He stated that the increase in funding is in part due to some landowners cancelling their project requests. He referred the Committee to Projects for Funding Summary showing six (6) requests for soil and water costs share grants under Priority # 1 before the Committee today. He indicated that if the Committee approves today's grant requests the remaining balance will be \$251,817.75.

Mr. Lofberg reviewed the soil and water cost share grant requests with the Committee and stated that staff recommendation is to grant approval to the six cost share grant requests as presented and discussed.

Note: Vice Chairman Danser presided over the meeting at this point. Chairman Fisher recused himself from any discussion/action pertaining to the Roger R. Kumpel and the Ruth Kumpel requests for soil and water conservation cost share grants to avoid the appearance of a conflict of interest. Mr. Kumpel is a member of the State Board of Agriculture, to whom Chairman Fisher reports in the discharge of his duties as New Jersey Secretary of Agriculture.

It was moved by Dr. Dey and seconded by Ms. Reade to approve Resolution FY2011R12(2) and Resolution FY2011R12(3), granting a soil and water conservation cost share grant to the following landowners, as presented and discussed and subject to any conditions of said Resolutions:

PRIORITY # 1

BURLINGTON COUNTY

1. Roger R. Kumpel (Resolution FY2011R12(2))
SADC #03-0019-PG
Southampton Township, Burlington County, 31.018 Acres
Cost Share Grant Amount: \$13,650.00 under Obligation # 2
2. Ruth L. Kumpel (Resolution FY2011R12(3))
SADC #03-0038-PN
Southampton Township, Burlington County, 69.528 Acres
Cost Share Grant Amount: \$30,680.60 under Obligation # 4

The motion was approved. (Chairman Fisher recused himself from the vote.) (A copy of Resolution FY2011R12(2) and Resolution FY2011R12(3) is attached to and is a part of these minutes.)

MIDDLESEX COUNTY

Note: Chairman Fisher presided over the meeting at this point. Mr. Danser recused himself from any discussion/action pertaining to the Donald and Lynda Patterson agenda item. Mr. Danser is the Chairman of the Middlesex County Agriculture Development Board.

It was moved by Ms. Brodhecker and seconded by Dr. Dey to approve Resolution FY2011R12(4), granting a soil and water conservation cost share grant to the following landowners, as presented and discussed and subject to any conditions of said Resolution:

1. Donald and Lynda Patterson (Resolution FY2011R12(4))
SADC #12-0005-EP
Cranbury Twp., Middlesex County, 184.6830 Acres
Cost Share Grant Extension Amount: \$15,425.00 under Obligation # 1

The motion was approved. (Mr. Danser recused himself from the vote.) (A copy of Resolution FY2011R12(4) is attached to and is a part of these minutes.)

MONMOUTH COUNTY

It was moved by Mr. Waltman and seconded by Mr. Danser to approve Resolution FY2011R12(5), granting a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said Resolution:

1. Concorde Stud Farm (Resolution FY2011R12(5))
SADC #13-0038-EP
Upper Freehold Township, Monmouth County, 238.9880 Acres
Cost Share Grant Extension Amount: \$3,585.00 under Obligation # 2

The motion was unanimously approved. (A copy of Resolution FY2011R12(5) is attached to and is a part of these minutes.)

OCEAN COUNTY

Mr. Schilling recused himself from any discussion/action pertaining to the Hisham Moharram agenda item to avoid the appearance of conflict of interest.

It was moved by Ms. Reade and seconded by Dr. Dey to approve Resolution FY2011R12(6), granting a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said Resolution:

1. Hisham Moharram (Resolution FY2011R12(6))
SADC #15-0031-EP
Plumsted Township, Ocean County, 54.059 Acres
Cost Share Grant Extension Amount: \$5,000.00 under Obligation # 2

The motion was approved. (Mr. Schilling recused himself from the vote.) (A copy of Resolution FY2011R12(6) is attached to and is a part of these minutes.)

WARREN COUNTY

It was moved by Mr. Danser and seconded by Ms. Reade to approve Resolution FY2011R12(7), granting a soil and water conservation cost share grant to the following landowner, as presented and discussed and subject to any conditions of said Resolution:

1. Brian Foley (Resolution FY2011R12(7))
SADC #21-0019-NP
Washington/Franklin Twps., Warren County, 62.174 Acres
Cost Share Grant Extension Amount: \$32,434.80 under Obligation # 1

The motion was unanimously approved. (A copy of Resolution FY2011R12(7) is attached to and is a part of these minutes.)

Note: The agenda item for the appeal of development easement values for the Deborah Post farm and the Granskie farm are being moved to later in the meeting as the landowners have not arrived at the meeting as yet. Ms. Craft stated that the Deborah Post issue involves a county easement purchase application in which the SADC certified a development easement value. Ms. Post filed an action in court to appeal that decision but later agreed to withdraw that request and obtain an official action by the SADC to exhaust her administrative opportunities first. Therefore she and her attorney have agreed to come to today's meeting and make their presentation for the Committee's consideration. Ms. Craft stated that it is her understanding that Ms. Post will be providing additional documentation with her today for the Committee's consideration.

Ms. Craft stated that on the Granski farm the Committee was prepared to take action with respect to that certification but the landowner requested that the Committee hold off on taking final action until such time as they were able to address the SADC's concern with respect to legal access to the property.

C. Request for Final Approval – FY 2009 Municipal Planning Incentive Grant Program (PIG) Applications including comprehensive farmland preservation plans and project area agreements

1. Holmdel Township and Upper Freehold Township, Monmouth Co.

Mr. Brill referred the Committee to Resolution FY2011R12(8) for a request for final approval of the Holmdel Township and Upper Freehold Township, Monmouth County Municipal Planning Incentive Grant Program applications, including the comprehensive farmland preservation plans and project area summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Requa and seconded by Dr. Dey to approve Resolution FY2011R12(8) granting final approval to the Holmdel Township and Upper Freehold Township, Monmouth County Municipal Planning Incentive Grant Program Applications, including Comprehensive Farmland Preservation Plans and Project Area Summaries, as presented and discussed and subject to the conditions of said resolution.
The motion was unanimously approved. (A copy of Resolution FY2011R12(8) is attached to and is a part of these minutes.)

2. Peapack and Gladstone Boroughs, Somerset County

Mr. Brill referred the Committee to Resolution FY2011R12(9) for a request for final approval of the Peapack and Gladstone Borough, Somerset County Municipal Planning Incentive Grant Program applications, including the comprehensive farmland preservation plans and project area summaries. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Requa and seconded by Dr. Dey to approve Resolution FY2011R12(9) granting final approval to the Peapack and Gladstone Borough, Somerset County Municipal Planning Incentive Grant Program Applications, including Comprehensive Farmland Preservation Plans and Project Area Summaries, as presented and discussed and subject to the conditions of said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R12(9) is attached to and is a part of these minutes.)

D. Appeal of Development Easement Value

1. Deborah Post (Riamede Farm) Chester Township, Morris County

Secretary Fisher stated that Ms. Post is now present. He indicated that Ms. Post requested two hours for her presentation to the Committee. He stated that he has requested through SADC staff to condense this presentation down to approximately 30-45 minutes. It is noted that a court reporter is present to prepare a transcript of this discussion.

Note: Court reporter was present to transcribe the discussion pertaining to this agenda item.

Ms. Craft stated that the SADC previously certified the development easement value of this farm, located in Chester Township, Morris County, comprising 56 acres. The SADC received from Morris County its appraisals and after the SADC's normal review process certified a development easement value and it was transmitted to the county under the normal circumstances and was extended to the property owner. The property owner, through her attorney, Mr. Coakley, filed in Superior Court in the Appellate Division making a series of claims about why the SADC's certification of value was insufficient. When staff received that documentation the application process had stopped because the landowner had written letters requesting that the SADC reconsider the certification but that had not come to the Committee for final action. What is before the Committee today is a request from the landowner to reconsider the SADC's certification of value. At the end of the landowner's presentation the Committee will have a couple of options, either that the Committee will have heard enough information that it directs staff to go back and consider what the landowner presents today to see if it would have any impact on value

or that the Committee doesn't hear anything that is compelling enough to have staff reconsider the certification of value, in which case the Committee could say the certification of value stands as is. When the Committee makes its final determination either way that will be considered final agency action and will be appealable to the Appellate Division. Deputy Attorney General Jason Stypinski stated that the lawsuit to the Appellate Division was withdrawn pending the final decision of the SADC. Mr. Danser stated that he is concerned because every applicant is unhappy with their certified value and he is concerned of this process where everyone comes back in this way. Ms. Craft stated that is for the Committee to determine.

Mr. Siegel suggested that the Committee have a brief discussion in closed session. He stated that in his opinion we are opening an enormous door by conducting this proceeding. He stated that if a landowner is not happy with a value they do not have to proceed with the preservation of the property. He stated that there is no by right of appeal of a financial decision of a board. The right is to not accept the offer.

Ms. Craft stated that the SADC certified a value, as it always does, the landowner submitted letters questioning what was done. Staff prepared and sent comprehensive letters back trying to explain why the SADC's certification of values was not in error. The landowner then filed an action in the Appellate Division. Ms. Craft stated that her concern is to ensure the Committee understands that this is the decision of the Committee and when it is final, it's final. The landowner is submitting documentation that may cause the Committee to reconsider its certification. She stated that staff reviewed what was previously submitted and staff responded in writing supporting the value conclusions. Ultimately the SADC is the agency that certifies the value. If the Committee determines today that it doesn't want to hear this presentation and considers its previous certification final that is a decision. Mr. Siegel stated that also a decision of the Committee is that it doesn't want to preempt the prerogatives of its staff and that it is for the staff to say whether the applicant has raised an interesting point or not, say a technical error, to which the appraiser is willing to adjust the appraisals and then the SADC comes back to the Committee with an explanation of what is different. Landowners do not have a constitutional right to have their farm preserved.

Mr. Waltman asked why the value wasn't a final agency action. He stated that if this is a legal question, that should be discussed in closed session.

CLOSED SESSION # 1 (POST MATTER)

It was moved by Mr. Siegel to adjourn into closed session to discuss the legal aspects of this agenda item.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ State Agriculture Development Committee declares the next one half hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

Mr. Coakley, attorney for Ms. Post requested to make a statement prior to the Committee going into closed session. He stated that the procedure that led them to this point was that after the certification of value was transmitted, a letter was sent to the SADC requesting that it reconsider the determination of value. When that was responded to by SADC staff and not the SADC there was no alternative than to file an appeal. When that appeal was filed counsel from the Attorney General's Office contacted them and said that the SADC has not reconsidered this and has not made a record and would Ms. Post withdraw the appeal and come to the SADC and make a presentation so that the Committee can consider this matter and have a record to go forward. Mr. Danser commented that Mr. Coakley stated there was no alternative, as if walking away from the deal wasn't an alternative? Mr. Coakley responded that it may be an alternative to some but it is not necessarily the only alternative. There is an alternative of objecting to the methodology of the appraisals that have been submitted if they don't follow the regulations.

Mr. Stypinski stated that there was an email from him to Mr. Coakley confirming Ms. Post's ability to come before the SADC with her concerns and that the appeal would be withdrawn from the court.

Mr. Stypinski stated that procedurally he can explain what the thinking was but he recommended that be discussed in closed session.

The motion was seconded by Mr. Boornazian and unanimously approved.

The Committee retired to the 3rd floor Division Director's conference room to discuss the matter.

ACTION AS A RESULT OF CLOSED SESSION # 1 (POST MATTER)

Chairman Fisher stated that having come from closed session he requested Mr. Stypinski to make a statement on behalf of the Committee. He stated that the Committee will not be taking any action until staff has had the opportunity to review all materials submitted, including the package that has been submitted at today's meeting and then make a recommendation to the Committee. Chairman Fisher restated that Ms. Post would have 30-45 minutes for her presentation.

Mr. Coakley provided the Committee with a binder and requested that one copy be marked "P1" for identification purposes.

Ms. Post addressed the Committee in support of her request for the SADC to reconsider her certified development easement values. She stated that she has been given a time limit for her presentation however this is her first and only opportunity as a landowner to provide any input into this process that represents a major financial event for her and for most landowners. Despite having submitted six inches of documents containing critiques and fresh appraisals, these documents have not been considered. She stated that she received a letter from the SADC that stated "The SADC does not evaluate appraisals that have not been contracted for by the CADB for purposes of determining certification of values for the cost share grant, nor does the agency consider the conclusions of the landowner and/or other parties interested in the transaction." Ms. Post stated that it is rare that a process of this importance is so one sided. She continued with her presentation to the Committee, reviewing the material she provided at today's meeting. Ms. Post made a 45 minute presentation regarding various technical aspects of the appraisals conducted, the qualifications of the appraisers, the potential use of value derived from Highland's TDR calculations, which she read from a prepared statement into the record. Secretary Fisher reminded Ms. Post that she had reached the time limit that was given for her presentation, at which time Ms. Post concluded her presentation.

Mr. Coakley thanked the Committee for the opportunity to present. He stated that the written summary that Ms. Post read from will be copied and sent to Mr. Stypinski and he requested that it be marked as P2 in the record and distributed to the Committee prior to making a decision. He stated that the main point to take from this presentation today is that there needs to be input from property owners because they have something to say when they go through the effort of providing appraisals to the Committee they should be considered and when there are egregious errors in appraisals the Committee should take some corrective action.

Note: Ms. Craft stated that the other agenda item regarding an appeal of a development easement value for the Granskie farm has been removed from the agenda. She stated that staff has received an email this morning at 9:42 a.m. stating that the landowner has decided to withdraw her application to the county.

E. Request for Final Approval – New Rule Municipal Planning Incentive Grant Program

Ms. Winzinger referred the Committee to two resolutions for final approval under the new rule Municipal Planning Incentive Grant Program. She reviewed the specifics of each with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Requa and seconded by Ms. Brodhecker to approve Resolution FY2011R12(10) and Resolution FY2011R12(11), granting final approval to the following landowners as presented and discussed and subject to any conditions of said resolutions:

1. Norman J. Lenchitz (Resolution FY2011R12(10)) *
Block 2003, Lot 16
Pittsgrove Township, Salem County, 18 Acres
State cost share grant at \$4,400.00 per acre for an estimated total of \$79,200.00 (62.86% of the certified market value and purchase price).

* Discussion: The County will pay its cost share directly to the landowner by way of an installment purchase agreement, which is subject to the review and approval of the SADC Executive Director.

2. R.T.R. New Home Building Contractors, Inc.
(Calukovic) (Resolution FY2011R12(11))
Block 55, Lot 20.03
Upper Freehold Township, Monmouth County, 49 Acres
State cost share grant of the entire Township's Planning Incentive Grant appropriation, which is \$750,000.00 (an estimated 48% of the certified market value and purchase price).

The motion was unanimously approved. (A copy of Resolution FY2011R12(10) through FY2011R12(11) is attached to and is a part of these minutes.)

F. Request for Final Approval – New Rule County Planning Incentive Grant Program

Mr. Danser recused himself from any discussion/action pertaining to the agenda item for the Balz Farm in Middlesex County to avoid the appearance of a conflict of interest. Mr. Danser is the Chairperson of the Middlesex

County Agriculture Development Board. He requested that the Committee take action on that agenda item separately.

Ms. Winzinger stated that there are four requests for final approval before the Committee under the new rule County Planning Incentive Grant Program. She reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Dr. Dey and seconded by Mr. Danser to approve Resolution FY2011R12(12), Resolution FY2011R12(13) and Resolution FY2011R12(14) granting final approval to the following landowners, as presented and discussed and subject to any conditions of said resolutions.

CUMBERLAND COUNTY

1. Thomas S. Newton (Resolution FY2011R12(12)) *
Block 16, Lots 5 and 10.01; Block 18, Lot 6.02
Greenwich Township, Cumberland County, 45 Acres
State cost share grant at \$3,100.00 per acre (68.89% of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$144,642.90; the SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and availability of those funds; the SADC will utilize any remaining NJCF FY 2007 Federal Farm and Ranch Lands Protection Program funds (estimated \$800 per acre) to reduce the SADC's grant taken from the County's base grant as outlined in said Resolution.

* Discussion: The Cumberland CADB in participation with the New Jersey Conservation Foundation (NJCF) has applied to use the NJCF's USDA, NRCS FY2007 Farm and Ranch Lands Protection Program grant funding in the amount of \$2,300.00 per acre to further leverage available county funding for farmland preservation. The owner has agreed to the additional restrictions associated with the use of federal funding, including a one (1) acre impervious cover limit available for the construction of agricultural infrastructure required for all farms under fifty acres utilizing FY2007 federal funding. It is noted that the landowners have chosen not to take any exception areas and they have signed an acknowledgement form related to that.

2. Clifton and Dorothy Jones (Resolution FY2011R12(13)) *
Block 18, Lot 28
Greenwich Township, Cumberland County, 70 Acres
State cost share grant at \$2,800.00 per acre (70% of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$201,880.00; the SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and availability of those funds; the SADC will utilize any remaining NJCF FY 2007 Federal Farm and Ranch Lands Protection Program funds (estimated \$300 per acre) to reduce the SADC's grant taken from the County's base grant as outlined in said Resolution.

* Discussion: The Cumberland CADB in participation with the New Jersey Conservation Foundation (NJCF) has applied to use the NJCF's USDA, NRCS FY2007 Farm and Ranch Lands Protection Program grant funding in the amount of \$1,500.00 per acre to further leverage available county funding for farmland preservation. The owner has agreed to the additional restrictions associated with the use of federal funding, including a four (4) percent impervious cover limit available for the construction of agricultural infrastructure. The property includes a two acre severable exception for the existing historic single-family residence (national register).

3. Norman and Lynette Kacewich (Resolution FY2011R12(14)) *
Block 25, Lot 12; Block 26, Lot 11.03
Stow Creek Township, Cumberland County, 17.37 Acres
State cost share grant at \$4,900.00 per acre (62% of the certified market value and purchase price); to account for any potential increase in the final surveyed acreage a 3 percent buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$87,665.90; the SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and availability of those funds; the SADC will utilize any remaining NJCF FY 2007 Federal Farm and Ranch Lands Protection Program funds (estimated \$200 per acre) to reduce the SADC's grant taken from the County's base grant as outlined in

said Resolution.

- * Discussion: The Cumberland CADB in participation with the New Jersey Conservation Foundation (NJCF) has applied to use the NJCF's USDA, NRCS FY2007 Farm and Ranch Lands Protection Program grant funding in the amount of \$3,950.00 per acre to further leverage available county funding for farmland preservation. The owner has agreed to the additional restrictions associated with the use of federal funding, including a one (1) acre impervious cover limit available for the construction of agricultural infrastructure required for all farms under fifty acres utilizing FY2007 federal funding.

The motion was unanimously approved. (A copy of Resolution FY2011R12(12) through Resolution FY2011R12(14) is attached to and is a part of these minutes.)

MIDDLESEX COUNTY

It was moved by Mr. Siegel and seconded by Dr. Dey to approve Resolution FY2011R12(15), granting final approval to the following landowners, as presented and discussed and subject to any conditions of said resolution.

1. Robert and Karen Balz (Resolution FY2011R12(15)) *
Block 83, Lot 6.09
Monroe Township, Middlesex County, 14.1
State cost share grant at \$27,000.00 per acre (60% of the certified market) for a total grant need of approximately \$380,700.00.

* Discussion: The property has a 0.61 acre severable exception around a building used for machinery repair and general storage.

The motion was approved. (Mr. Danser recused himself from the vote.) (A copy of Resolution FY2011R12(15) is attached to and is a part of these minutes.)

G. Request for Preliminary Approval – State Acquisition (Easement)

1. Hill and Dale Farms, Inc., Tewksbury Township, Hunterdon County

Mr. Knox referred the Committee to Resolution FY2011R12(16) for a request for preliminary approval on the Hill and Dale Farms, Inc., located in Tewksbury Township, Hunterdon County. He reviewed the specifics with the Committee. He stated that this property is in the Highlands Preservation Area. Mr. Knox stated that staff recommendation is to grant preliminary approval as presented and

discussed, subject to any conditions of the resolution.

It was moved by Mr. Danser and seconded by Dr. Dey to approve Resolution FY2011R12(16) granting preliminary approval to the Hill and Dale Farms, Inc. property, known as Block 51, Part of Lot 80, Tewksbury Township, Hunterdon County, 41 Net Acres, subject to any conditions in said resolution. The motion was unanimously approved. (A copy of Resolution FY2011R12(16) is attached to and is a part of these minutes.)

H. Request for Final Approval – State Acquisition (Easement)

1. Tullo Farm, Lebanon Township, Hunterdon County

Mr. Knox referred the Committee to Resolution FY2011R12(17) for a request for final approval of the David and Susan Tullo farm, located in Lebanon Township, Hunterdon County, comprising approximately 131 net acres. He stated that the property is in the Highlands Preservation Area. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval, as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2011R12(17), granting final approval to the following landowners, as presented and discussed and subject to any conditions of said resolution:

David and Susan Tullo
Block 57, Lots 27 and 28
Lebanon Township, Hunterdon County, 131 Net Acres
At a value of \$6,500.00 per acre for a total of approximately \$851,500.00;
the SADC approves the use of funding pursuant to the SADC FY 2006
Highlands Preservation appropriation Expenditure Policy – Amended,
which authorizes the use of Highlands funds to support additional
applications in all farmland preservation programs where demand for
funding has outstripped otherwise approved SADC funding.

The motion was unanimously approved. (A copy of Resolution FY2011R12(17) is attached to and is a part of these minutes.)

I Request for Final Approval – Nonprofit Grant Program

1. New Jersey Conservation Foundation/Lovero Farm, Hopewell Township, Mercer County

Mr. Knox referred the Committee to Resolution FY2011R12(18) for a request for final approval for the New Jersey Conservation Foundation (NJCF)/Lovero farm

in Hopewell Township, Mercer County. He reviewed the specifics with the Committee. He indicated that this farm would be utilizing NJCF, USDA, NRCS, Federal Farm and Ranch Lands Protection Program funding, which will include a two percent impervious coverage restriction equaling approximately 1.5 acres available for agriculture infrastructure outside the exception area. He stated that staff recommendation is to grant final approval as presented and discussed.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2011R12(18), granting final approval to the following landowner as presented and discussed, subject to any conditions of said resolution:

1. New Jersey Conservation Foundation/Lovero
Block 62, Lot 26.041
Hopewell Township, Mercer County, 73 Acres
The SADC shall provide a cost share grant not to exceed \$7,000.00 per acre (total of approximately \$511,000.00 based on 73 acres) to the New Jersey Conservation Foundation for the development easement acquisition of this farm; the SADC approves the use of the New Jersey Conservation Foundation's Federal Farm and Ranch Land Protection Program funds, which will include an impervious coverage limitation of approximately two percent outside the exception area.

The motion was unanimously approved. (A copy of Resolution FY2011R12(18) is attached to and is a part of these minutes.)

H. Farmland Stewardship

1. House Replacement Request (Renewal of Approval)
Michael and Amanda Dippolito, E. Amwell Township, Hunterdon County

Mr. Roohr stated that this agenda item has been removed from today's meeting. Ms. Craft stated that this agenda item was tabled at the last meeting of the Committee to give the Township the opportunity to provide some input. Staff received a letter from the Township's attorney yesterday raising various issues. Staff wanted to have an opportunity to look at the various issues before bringing it back to the Committee.

2. Request for a Division of the Premises
Simpson Farm, Tewksbury Township, Hunterdon County

Mr. Roohr referred the Committee to Resolution FY2011R12(19) for a request for a division of the Premises by Rhyne and Andraya Simpson, owners of Block 19,

Lots 11.05, 11.06 and 11.07 in Tewksbury Township, Hunterdon County, comprising approximately 72.71 acres. The property has one single family residence. The owners proposed to divide the premises to allow them to sell Parcel B to an adjacent landowner, Marlana Heydenreich. The owners had previously proposed to divide the premises through a similar configuration in December 2009, which the SADC denied because it did not result in agriculturally viable parcels. This recent request involves the proposed donation of a development easement on eight acres of Ms. Heydenreich's 26-acre lot which is located adjacent to the premises, if the division request is approved. The owners would retain Parcel "A" to continue their sport horse equine operation. The owners find it necessary to divest themselves of a portion of the property for financial reasons.

Mr. Roohr stated that in November 2010 Mr. Simpson and the contract purchaser (Ms. Heydenreich) came to the SADC offices and met with staff to further explain their proposal for the property.) Ms. Heydenreich indicated at that meeting that she would like to own Parcel "B" for view shed purposes because it is located directly in front of her residence and forms the continuum of the field that is adjacent to her eight acre hay field. She had agreed to donate the development easement on the eight tillable acres and has agreed that Parcel "B" and her 26-acre parcel shall never be sold apart from one another, if the SADC approves the division request. She currently pays a local farmer to farm the eight acres and feels that the new larger configuration would make farming her overall property more efficient for the tenant farmer. She did not wish to restrict the remainder of her 26-acre portion of her property any more than with the 8 additional acres. Mr. Roohr stated that Mr. Simpson, Ms. Heydenreich and the tenant farmer Scott Clucas are present today and would like to address the Committee. Mr. Roohr stated that he is providing some additional information that just became available, to the Committee, which is a couple of maps and a letter from the Chair of the Ag Advisory Committee in Tewksbury Township in support of the request.

Mr. Roohr reviewed the specifics with the Committee as outlined in the resolution. He stated that staff recommends denial of the request for reasons set forth in the resolution.

Mr. Simpson, Ms. Heydenreich and Mr. Clucas addressed the Committee in support of the division of the premises request.

Mr. Waltman stated that the SADC has to continue to have a very high burden of proof that a subdivision actually advances agriculture and he doesn't see that in this situation.

Mr. Siegel motioned to accept staff recommendation as presented and discussed.

Dr. Dey seconded the motion. A roll-call vote was taken as follows:

Richard Boornazian (rep. DEP Commissioner Martin)	Oppose
James Requa (rep. DCA Commissioner Grifa)	Oppose
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	Yes
Brian Schilling (rep. Executive Dean Goodman)	Abstain
Jane R. Brodhecker	Oppose
Alan A. Danser	Abstain
James Waltman	Yes
Denis C. Germano	ABSENT
Torrey Reade	Yes
Stephen P. Dey	Yes
Douglas H. Fisher, Chairperson	Oppose

Oppose staff recommendation votes: 4

Accept staff recommendation votes: 4

Abstain from staff recommendation votes: 2

Absent votes: 1

The motion does not pass. Ms. Craft stated that staff recommendation is to deny the request. We heard testimony from the tenant farmer saying the bigger piece of ground the better or the more acres you have the better. The proposal is taking a seventy acre property and dividing it to make two smaller pieces and there is no compelling agricultural reason to do that in her opinion. We are degrading the viability of the preserved farm. The vote does not pass staff recommendations but it also does not approve the subdivision so therefore there is no action. She stated that from a staff perspective Mr. Simpson and Ms. Heydenreich were kind enough to come to the office, we sat and had a very frank conversation and it was clear to her that Ms. Heydenreich's motivation was to extend her holdings, to protect her viewscape of her home. She stated that she cannot imagine that the Committee should entertain that as motivation or justification for a subdivision of a publicly preserved farm. The sentiment that was conveyed to staff was concern about the view and not want structures to be built on this land. Ms. Heydenreich stated that she didn't believe that was her intent in how she described that, she was describing that what was important to her is preserved land and by donating the eight acres that preserves that land but it gives her a feel that it is farmed, which is more viable than just the eight acres and it attaches that to her property so whether it is for her or a future buyer that now becomes a different type of property because of the field in front of it that is viable.

Chairman Fisher stated that the Committee took no action. Mr. Simpson asked if it is acceptable for him to ask one of the abstentions to change their vote. The response to that was no. Mr. Siegel asked if staff would now prepare a different resolution and recommendation for consideration at the next meeting. Ms. Craft responded no, not unless it is directed to by the Committee. Chairman Fisher stated that initially he was going to vote to deny the request and the second part is that it is difficult, and he doesn't know what the abstentions are based on but basically we are here to vote and we recuse because of some type of conflict but when we don't vote, he believes there has to be a reason not to vote. Mr. Schilling stated that he abstained because he is finding that it is becoming more difficult to assess the viability test.

Mr. Danser stated that he would explain his abstention vote. As far as he is concerned this is right on the cusp and it is very difficult. His view on the 24 month statement from the time the owner came into the program is somewhat different from Mr. Siegel's. This came in as a seventy acre application and maybe there was a fifty-five acre application that didn't get considered because this one ranked ahead of it but if it came as 44, the other one may have been preserved and this wouldn't. The only way he would consider this would be if the 54 acres were consolidated with a 14-acre exception or the area on the map was restricted to not being subdivided and that would need to be reflected in a deed.

Chairman Fisher stated that right now there is no action taken by this Committee. He would suggest 1) no action has been taken so it's not been denied or approved. Secondly, if there are some other factors that you could speak to staff about you are welcome to do so. He suggested that Mr. Simpson and the others present today could speak to staff after the meeting. Ms. Brodhecker stated that the owners could come up with a different rationale. Apparently some of that rationale did not get through to some members of the Committee, whether it would be positive or negative. She stated that it would need more structure for the Committee to be able to be convinced to vote either yes or no. Ms. Reade stated that she comes from a county that has a 100 farm backlog and they are on the waiting list. They have bigger and more viable farms than this that are not being subdivided and they cannot get into the program. She wanted to point out that as Mr. Siegel related to earlier is that we did make a selection and preserved 72 acres two years ago. Mr. Siegel stated that these applicants are making a deal with the taxpayers and the timeframe is a factor. Mr. Boornazian stated that he doesn't see the hurt story from his point of view or from the state's. You have more efficient acreage going into the program, they are making a donation and he feels we come out positive on this. The state is not spending any more money to get eight more acres.

3. Request for House Replacement
Ernst Farm, Upper Freehold Township, Monmouth County

Mr. Roohr referred the Committee to Resolution FY2011R12(20) for a request by Roger Ernst, owner of Block 32, Lot 3, in Upper Freehold Township, Monmouth County to replace the existing residence on the property with a new residence for himself and his family. The proposed new house would be built approximately seventy-five feet south of the existing house and would utilize the existing driveway. The owner proposes to build a ranch style house, approximately 3,200 square feet of heated living space to replace the existing house, which is approximately 3,700 square feet of living space. The new house would be built on a slab without a basement. The owner has also requested that he and his family be permitted to reside in the existing house until the new house is completed. Staff recommendation is to approve the request as presented and discussed.

It was moved by Ms. Brodhecker and seconded by Mr. Danser to approve Resolution FY2011R12(20) granting a request by Roger Ernst, owner of Block 32, Lot 3, Upper Freehold Township, Monmouth County to construct a new single-family residence, consisting of approximately 3,200 square feet of heated living space and that the owners may live in the existing residence until the construction of the new residence is completed. The approval is valid for a period of three years from the date of this resolution. The existing single-family residence shall be removed from the Premises within sixty days of receiving the certificate of occupancy for the new residence and this approval is non-transferable. The motion was unanimously approved. (A copy of Resolution FY2011R12(20) is attached to and is a part of these minutes.)

Mr. Siegel noted that he recently attended a farmland preservation conference from the federal government's perspective. There is a precedent but he cannot remember from which state it is from, that properties that are on the national register for historic places or eligible that are privately owned, the landowner can tear them down and it doesn't matter if they are on the national register. Private property is not controlled by the national register. You might discourage them from that but you cannot prevent them from doing so. If you are on the national register it only means that the government cannot take it down. There is a new interpretation from the Department of the Interior that if any preservation funding has gone into the property that counts as government money and therefore any national register properties/buildings, they come under that provision, even though that money is not literally being used to take down the house. It is a new finding. If preservation money has gone into the property, even though the easement doesn't mention anything about the barn, if the barn is on the national register the Department of Interior is now interpreting that to mean the barn is protected. He stated that this may have an effect on the Cavalier house, which to him looks to be highly eligible for the national register. As far as these things are concerned, eligibility and ranking have no difference; it's just a matter of how

long it takes to get the register listing. If the property is eligible for the national register the rules apply. This prevents developers from knocking buildings down before the registration paperwork comes through. Mr. Siegel stated that this may be something that staff may want to look into regarding the Cavalier property because if the house is as old as they say it could be register eligible.

I. Right to Farm – Final Decisions

1. Blew/Bailey, Franklin Township, Hunterdon County

Mr. Smith stated that this is a very complicated procedural matter that involves a very important public policy issue regarding the construction and use of solar panels. There are basically three events to summarize. The first is the 2005 site specific solar panel agricultural management practice (SSAMP) and the 2005 Franklin Township Planning Board approval of the solar panels. Secondly, proceedings in 2008 that were presented before the Hunterdon CADB, which involved a right to farm complaint against the construction and use of the solar panels, and last, a 2008 SSAMP that the farmer applied for, not only for the solar panels, which the farmer had gotten an SSAMP for in 2005 but also for all other agricultural production activities occurring on the farm. Other components of this issue is the 2009 lawsuit that was brought against the Hunterdon CADB for violations of the Open Public Meetings Act (OPMA) and a collateral issue associated with the OPMA complaint was an allegation that one of the CADB members was disqualified from voting.

Mr. Smith stated that in 2005 an SSAMP was applied for and was granted to the Blews, who are commercial farmers. At the same time that was approved the Blews also received planning board approval for the solar panel array. As a result of all the proceedings involved with those two matters, in 2008 a right to farm complaint was filed by the neighbor, the Baileys, and another SSAMP application was filed by the Blews, for the solar panels and for all other agricultural production activities. The Hunterdon CADB met over a several month period in 2008 and 2009 and that is where we get into the OPMA issue because the Hunterdon CADB had nine voting members but at some of the meetings they only had four or three voting members taking action. As a result of those issues the complaint was filed in the Superior Court in 2009 by the Baileys and as a result of that litigation the Superior court remanded the OPMA claim to the SADC. Included in the OMPA claim was the VanNuys disqualification issue. Mr. VanNuys is a member of the CADB but he is also the Chairperson of the Hunterdon County Soil Conservation District. Staff, having reviewed the record does have serious problems with the Hunterdon CADB acting with three or four members from a nine member voting board, but it does not have any problem with the fact that in 2005 the SSAMP was granted for the solar panels and no one

appealed that decision. No one appealed the CADB action in 2005 and no one appealed the Franklin Township's Planning Board's decision within the statutory or regulatory timeframes. There was litigation filed a year later, after these approvals were granted and far outside what the law requires for an appellant. Mr. Smith stated that the staff recommendation, which is in the final decision before the Committee today, is that the 2005 SSAMP be upheld. The 2008 proceedings that involve the solar panels, we don't need to address anymore because we are recommending that the 2005 SSAMP be upheld so there is no need for a 2008 SSAMP to be disposed of. That does leave the agricultural production element for the 2008 SSAMP and because we believe that the Hunterdon CADB did not have a proper quorum, it could not conduct meetings on four occasions. The SSAMP that the CADB granted for the agricultural production activities cannot stand. With respect to the VanNuys disqualification, the SADC does not profess to have any expertise when it comes to disqualifications, recusals, conflicts of interest or office incompatibilities. Those matters can be addressed by the Department of Community Affairs's Local Finance Board. The summary of staff findings can be found in the last few pages of the report before the Committee.

Ms. Craft stated that staff has the Administrative Law Judge's (ALJ) decision and the SADC's charge is to either accept, reject or modify it. Ms. Craft stated that Mr. Smith just reviewed the issues with the Committee and staff recommends modifying the ALJ's decision by upholding the Blews 2005 SSAMP and affirming the ALJ's conclusion that because no valid public meetings were held by the Hunterdon CADB on the stated dates, those actions taking by the CADB are void. Staff suggests modifying the decision with respect to the 2008 SSAMP request such that these matters will not be remanded to either the SADC or the CADB, that there is no SSAMP for the Blews agricultural production activities and the burden is now on the Blews to reapply to the Hunterdon CADB for a determination. If the Blews decide to reapply for an SSAMP for those production activities, the CADB will have to hear the case with the proper quorum of at least five voting members. If the landowners want to pursue an SSAMP for the rest of their operation, separate and apart from the solar panels, they will have to reapply to the CADB to have it properly heard. Also modified was the decision with respect to the conflict of interest matter to send that matter back to the CADB stating that it has to take that issue up with the Local Finance Board to clarify the conflict of interest issue.

It was moved by Ms. Reade and seconded by Mr. Danser to approve the Final Decision involving the Blew/Bailey Right to Farm matter as presented and discussed. The motion was approved. (Mr. Waltman abstained from the vote.)
(A copy of the Final Decision is attached to and is a part of these minutes.)

2. Frank Magrosky v. Somerset CADB and Robert Eurick t/a Rolling Acres Flower Farm

Mr. Smith stated that this was an SSAMP from Somerset County, which was a combination of a Right to Farm complaint and an SSAMP. The Somerset CADB upheld the farmer and it was appealed by the neighbor and in the Office of Administrative Law the attorney for the farmer filed a motion to dismiss the appeal. The neighbor received a copy of the motion but never responded. Therefore, almost by default, the Administrative Law Judge's (ALJ) initial decision was that the farmer wins and the CADB decision is upheld and there is no basis for the SADC to disturb the ALJ's findings. This issue involved a poultry operation and some crowing roosters. There is evidence in the record that the farmer did everything possible to move the coops away from the property line. The final decision that staff is recommending that the Committee adopt affirms the initial decision of the ALJ.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve the Final Decision in the Frank Magrosky, Petitioner vs. Somerset County Agriculture Development Board; and Robert Eurick t/a Rolling Acres Flower Farm, Respondents, as presented and discussed. The motion was unanimously approved. (A copy of the Final Decision is attached to and is a part of these minutes.)

PUBLIC COMMENT

Sherry Dudas and Jim Kinsel from Honey Brook Organic Farm in Burlington/Mercer Counties addressed the Committee. She stated that she was a former staff person to the SADC's Right to Farm program. She stated that she and her husband purchased the first farm preserved in the farmland preservation program in Chesterfield and were in the process of putting up a section of deer fencing and received a violation notice from the zoning office stated that they were in violation of the Township's fencing ordinance. Despite a very unambiguous letter that was sent by Mr. Smith of the SADC to the Township's Zoning Officer, the Judge and a copy to the CADB, they did choose not to forward the complaint to the CADB, which is the process under the Right to Farm Act. She stated that they appeared in municipal court this past week and the matter was transferred to Springfield Township because the Chesterfield Township Judge had a conflict. The Springfield Township Judge did not even let their attorney lay out what the Right to Farm process should have been. She stated that their attorney did speak to the prosecutor beforehand and did get the Chesterfield prosecutor to agree to start the Right to Farm process. However, the Judge ruled that the process can only take 120 days. She is requesting that the SADC consider allowing staff to write a letter to that Judge letting him know that his ruling, in her opinion, was improper. She stated that apparently her attorney cannot make that communication because it would be considered an exparte

communication. Ms. Craft asked where is the CADB on this issue. Ms. Dudas stated it is her understanding that the zoning officer has communicated to the Burlington CADB on this issue but the CADB has not communicated with her or her husband at all on the issue. Ms. Craft stated that from what she knows of this issue in a superficial manner is that there is a title question involved that is clouding the issue somewhat? Ms. Dudas stated that this preserved farm has an access easement that goes back to the farm, somewhat like a flag lot. They have a neighbor that is exerting his allegation, through a lawsuit against her and her husband, that he has an access easement on a portion of that lane. She stated that even though she and her husband did their due diligence before purchasing this farm the easement never showed up in their title. Therefore in this lawsuit the neighbor is claiming he has a right to this access lane or a right of access to his property that has a driveway that comes off of her access lane. She stated that she and her husband are defendants in this lawsuit and as part of their research they found that the Chesterfield Township Planning Board, in 2005, actually granted this neighbor a conditional use approval to operate a commercial business on his residence. She stated that what the neighbor was claiming was that he has a residential use for this alleged access and then her research found that the Township actually granted him commercial use of a portion of her access lane. She emphasized to the Committee that she owns that lane in fee simple as a part of the preserved farm. She stated that she has had four attorneys look at this conditional use approval and they all feel that it is flawed. She understands that the original easement issue is sort of murky but she felt that the 2005 conditional use approval is pretty clear that they had actually expanded the use of this alleged residential easement into a commercial easement. She stated that the neighbor is actually operating a used car lot from his residential property.

Ms. Dudas stated that she and her husband operate a community supported agricultural farm and they are open once a week. They have customers coming up and down that lane as well as employees. She stated that she has asked the CADB by letter to, at the minimum, to let the neighbor know that he didn't have a right to expand this alleged easement use and the CADB didn't answer that letter. It is her understanding that the CADB has decided not to take a position in the matter. She stated that Mr. Roohr and Mr. Smith are familiar with this background and she spoke to Mr. Roohr about it, because the county owns the easement on this farm. SADC staff felt the CADB should handle the matter and then come back to the SADC if she felt that she wasn't heard. She stated that is why they are here today to ask the SADC to allow staff to explore what is happening with this issue. She felt that this is a serious issue if his expansion of this easement is allowed to stand. She feels it would have serious repercussions state-wide if that initial use is allowed to stand as is. Mr. Kinsel felt that if the SADC was to take action to disallow the expanded commercial use, that the owner would capitulate on the other lawsuit and it would preempt problems for the SADC down the road, because a Judge could make a prescriptive easement ruling on their lane that would have an impact and set a precedent for prescriptive easements on preserved farms.

Ms. Craft stated that the concern she has is that the right to farm process is intended to protect farmers from either municipal and county regulations or from nuisance complaints from neighbors. Every time we talk about that at the staff level it became a title debate about who has access and does the town have the right to grant them the right to use that driveway for a nonresidential use. Does that violate the terms of this access easement. It keeps coming back in her mind to a more legal property rights type of question that needs to get resolved. She is not sure that applying right to farm is going to clarify this, it may muddy the issue. Ms. Dudas stated that she only meant to address the right to farm for the deer fencing issue. She stated that they are asking for the SADC's support in their claim that the judge did not go through the proper right to farm process. Their deer fence issue should not have even gone to the municipal court. She feels that this is a conflict issue through the conflict resolution part of the right to farm act so when the zoning officer issued them a violation notice, right then it should have been filed as a complaint with the CADB under the conflict resolution process that is afforded to commercial farmers.

Ms. Craft stated that SADC staff will follow up with the county on both tracts to find out what is happening and will follow up with the court with respect to any timeframe that has been given to resolve the right to farm issue. She asked Ms. Dudas to supply all the appropriate copies of letters and pertinent information to staff to review.

Pat Butch, Chair of the Farmland Preservation Committee in Millstone Township. In December 2008 they put in their first application for a municipal Planning Incentive Grant property and they have gotten to the point now where she was before the Committee approximately four months ago and received an extension to make an offer to the landowner due to issues between the Green Acres Program and the farmland program that had to do with appraisal values and trail components on this property. They resolved the appraisal issues between the two agencies and they have made an offer to the landowner and they have a contract with only two days left on the extension that was provided. She stated that the CADB has passed a resolution for final approval and the municipality has introduced an ordinance accepting a final value for this property and it is on the agenda for the County Freeholders. She stated that there is still one issue remaining, which is the trail issue. There are four funding partners for this project, the municipality, the county, Green Acres and the SADC. She is asking that before the next SADC meeting, if they could have a meeting with all the funding partners to see if this issue can be resolved. It has been over two years getting to this point and we need to get to closing.

Chairman Fisher stated that we are dealing with the issue. Ms. Butch stated that she

cannot close on the project without Green Acres and the SADC coming to terms.

Mr. Boornazian stated that he didn't feel it is a Committee issue regarding requesting a meeting but he would be happy to meet anywhere, any time. Ms. Craft responded she would be happy to meet also.

Mr. Boornazian asked why Princeton Nurseries, which was originally on the open session portion of the agenda, is now just in closed session, along with substantive minutes for that item. Ms. Craft stated that she would like to have the opportunity to discuss the contract negotiations on that project, with the Committee in closed session and then as a result of that discussion will come into open session and make whatever determination the Committee wants to make.

Mr. Coeyman from Monmouth County Parks stated that he feels the same as Ms. Butch. He stated that they have been held up on the trails issue on the Princeton Nurseries property, which is a very large tract in three counties for about two and one half years themselves. He stated that his director has been working with Ms. Craft and Mr. Boornazian trying to resolve the trails issues. He stated that the county's position is proposing three fee simple trail corridors, the northern one, the Wemple Trail, a central one called the South Side Trail and a southern one called the Countryside Trail. They have been in the field with SADC and Green Acres staff laying out these corridors. They vary in widths depending on where they are located. In areas where they will be between preserved farms, they are recommending no less than 100 feet so they can be buffered. The issue is placing restrictions from the SADC on Green Acres or County park lands, which is unacceptable to them. He stated that they were exploring the idea of an agreement between the county and the adjoining farmers but are backing away from that at this point. His director has done an email in the last day or so on that issue. What he would like to see is a memorandum of understanding between the three agencies (Monmouth County Park System, Green Acres and the SADC) laying out a framework/agreement to agree on trails. They are hoping that the entire project will get moving so we can get under contract. The county has had unofficial discussions on the possibility of the county stepping in and acquiring the entire project in Monmouth County. The SADC is the only entity that can acquire the farmland portion, which is not desired but if they have to do that they will.

Mr. Coeyman stated that they are opposed to required buffers. They have many miles of trails on other projects, trails within their parks, trails up against farms and trail corridors that run for miles throughout the county. Over time they are going to try to buffer those or allow natural vegetation or plant succession to naturally buffer those trails. He stated that the 100 foot corridor between preserved farms is a good idea and placing the trail in the middle. They have nothing against the preserved farms buffering their lands, fencing it off, allowing conservation buffers, etc. He stated that in all probability, in time, they

will buffer their trails that are created but they are not going to have someone from the outside tell them it must occur by a certain date. He stated that they are well know for their system and they are considered excellent.

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: Thursday, January 27, 2011, beginning at 9:00 a.m. Location: **Health/Agriculture Building, First Floor Auditorium.**

Note: Mr. Requa left the meeting at this point.

CLOSED SESSION # 2 (Princeton Nurseries Contract Negotiations Discussion)

At 2:28 p.m. Ms. Brodhecker moved the following resolution to go into Closed Session. The motion was seconded by Mr. Siegel and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ State Agriculture Development Committee declares the next one hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

Action as a Result of Closed Session # 2 – Princeton Nurseries

(See Closed Session # 2. Mr. Boornazian left the meeting at 3:10 p.m. during the discussion of Princeton Nurseries.) Fawn McGee stepped in to represent the NJ DEP at 3:10 p.m.

A. Real Estate Matters

1. State Acquisition - Final Approval

- a. Princeton Nurseries – Upper Freehold Twp., Monmouth Co.
Hamilton Twp., Mercer Co. & North Hanover Twp., Burlington Co.

SADC staff referred the Committee to Resolution FY2011R12(21) for a request for final approval for the purchase of development easements on nine properties totaling approximately 869.7 acres, known as the Wemple Farm, Scheese/Gravett Farm, Hutchinson Farm, Schlaepi Farm, Mifflin Farm, Josephson Farm, Anderson Farm, Thread Farm and Hannon Farm, collectively known as Princeton Nurseries, located in Upper Freehold Township, Monmouth County, Hamilton Township, Mercer County and North Hanover Township, Burlington County.

SADC staff sought the advice of its attorney and the Committee during closed session. As a result of that discussion, staff recommendation is to grant final approval for the purchase of development easements on the following properties, subject to the following amendments to said resolution:

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2011R12(21) granting final approval the Princeton Nurseries properties listed below, conditioned upon the following revisions to the resolution, as discussed in closed session and subject to any other conditions of said resolution:

The removal of the deed notices language in the 9th “Whereas” on page three (3) of said resolution and that this resolution is contingent upon development of a management agreement between the SADC, Green Acres and Monmouth County. Ms. Craft stated that whereas could then read: “Whereas said coordination will result in the execution of a Memorandum of Understanding between Monmouth County, Green Acres and the SADC, setting forth the mutual understanding of how the open space areas will be designed, used and managed.” The wording that will be deleted is: ...“recording of a certain deed notice on both farmland and open space lands to be preserved.”

Ms. McGee requested that the fifth and seventh “Whereas” on page three of said resolution should reflect adding the words “fee simple” as highlighted below:

Whereas # 5 – “Whereas, funding committed by the County of Monmouth, County of Burlington and Upper Freehold Township for farmland preservation purposes total approximately \$5,958,223, however, due to reductions in farmland acreage and increases in “fee simple” Open Space “lands” since the time of their prior authorizations.....”

Whereas # 7 – “Whereas, each Farm Parcel contains proposed “fee simple open space lands” for the purpose of creating public.....

Mr. Siegel and Mr. Danser as the mover and seconder of the motion accept the additional requests noted above by Ms. McGee as part of the motion.

Princeton Nurseries

Block 43, part of Lots 15 &17 (**Wemple Farm**)
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **110.2 acres**

Block 43, part of Lot 14.03 (Hannon Farm)
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **26 acres**

Block 49, part of Lot 4.05 **(Scheese/Gravett Farm)**
Block 49, part of Lot 10.01
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **140.3 acres**

Block 50, part of Lot 20.01 **(Hutchinson Farm)**
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **75 acres**

Block 50, part of Lot 11.04 **(Schlaepi Farm)**
Block 50, part of Lot 13
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **104 acres**

Block 50, part of Lot 11.04 **(Mifflin Farm)**
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **86.7 acres**

Block 50, part of Lot 9 **(Josephson Farm)**
Upper Freehold Twp., Monmouth County
Approximate Net Easement Size: **83.4 acres**

Block 47.06, part of Lot 28 **(Anderson Farm)**
Upper Freehold Twp., Monmouth County
Block 2743, part of Lot 22
Block 2745, part of Lot 3.02
Block 2745, Lot 4
Hamilton Township Mercer County
Approximate Net Easement Size: **128.6 acres**

Block 100, part of Lot 1.01 **(Thread Farm)**
North Hanover Twp., Burlington County
Approximate Net Easement Size: **115.5 acres**

Total Acreage (approx.): **869.7 acres**

SADC Cost Share (approx.)	\$ 6,687,437.00 (58%)
SADC Cost Share Partners (approx.):	\$ 4,875,391.00 (42%)
Total Purchase Price	\$11,563,828.00

Final approval is subject to receiving cost share funding from Monmouth County, Burlington County and Upper Freehold Township, Monmouth County.

The motion was approved. (Mr. Waltman and Dr. Dey recused themselves from the vote, Mr. Requa was absent for the vote.) (A copy of Resolution FY2011R12(21) is attached to and is a part of these minutes.)

Ms. Craft stated that this resolution provides for final approval for the transaction and will allow staff to move forward in executing the contract with the landowner. With respect to the open space issues, she explained to the public present that the Committee amended the draft resolution to eliminate any reference to incorporating any maintenance or management restrictions in the deeds, however, it is contingent on a memorandum of understanding (MOU) being executed between the SADC, Monmouth County and Green Acres with respect to how the open space will be managed.

Richard Goldman, attorney for the sellers addressed the Committee. He stated that what Ms. Craft just related is a very good step but the only concern he has on behalf of the owners and sellers is any time you represent a seller and there is an open contingency that may or may not get resolved over the course of many months, they don't want to end up having a bunch of agreements that tie up the land for the next year while surveys and the like are being done and then a year from now we get a call saying the SADC and Green Acres and Monmouth County couldn't agree on a MOU so there is no deal. They are very concerned about that. He stated that when they work on their agreements they may want to have a deadline on when the agencies are going to let everyone know that they have reached an agreement or they haven't. They are very optimistic that our state and county agencies can work together to come up with a solution. He stated that certainty is very important for the landowners because they are tying up their land. He stated that to the owners it is a nonissue in terms of how the two parcels will relate to each other, the Green Acres and the farm parcels. He stated that whatever the agencies come up with is fine with the owners as they have no particular position pro or con on either view. They do not think that the trails present a problem with the farmers.

Chairman Fisher stated that Mr. Goldman should take comfort in the fact that the matter will be resolved in a timely manner.

Mr. Danser stated that the owners do not have to worry as everyone here is committed to get this worked out in way less time than it will take to do the surveys.

CLOSED SESSION # 3 (Real Estate Matters – Certification of Values)

At 3:56 p.m. Mr. Danser moved the following resolution to go into Closed Session. The motion was seconded by Dr. Dey and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ State Agriculture Development Committee declares the next one half hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

Action as a Result of Closed Session # 3 – November SADC Meeting Closed Session Minutes, Real Estate Matters, – Certification of Values, Attorney/Client Matters, Substantive Minutes-Princeton Nurseries

A. Closed Session Minutes of November 4, 2010

Mr. Danser asked for a motion to approve the closed session minutes with the proviso that SADC staff verifies that the minutes read correctly regarding the Schnetzer farm parcel designations, as discussed in closed session.

It was moved by Ms. Brodhecker and seconded by Mr. Schilling to approve the closed session minutes of November 4, 2010 subject to SADC staff verifying the correct parcel designations, as discussed in closed session. The motion was approved. (Mr. Waltman Abstained, Mr. Requa, Mr. Siegel and Chairman Fisher were absent for the vote.)

A. Certification of Values

It was moved by Dr. Dey and seconded by Ms. Reade to certify the development easement values for the following landowners as presented and discussed in closed session:

Municipal Planning Incentive Grant Program

1. Fiorendo, Rose, Renaldo & Marie Sigismondi (Millhurst Road)
Block 64, Lot 11, Manalapan Township, Monmouth County, 30 Acres
2. Fiorendo, Rose, Renaldo & Marie Sigismondi (Dey Grove Road)
Block 59, Lot 4, Manalapan Township, Monmouth County, 94 Acres

County Planning Incentive Grant Program

1. Frank P. Baitinger, III
Block 22, Lots 1 and 2, Hopewell Township, Cumberland County, 71

Acres

2. Cumberland/Riggins Farm
Block 13, Lot 27, Stow Creek Township, Cumberland County, 76 Acres
3. Samuel and Richard Ayling
Block 82.21, Lot 28, Washington Township, Gloucester County, 38 Acres
4. Matthew Chiuccarello
Block 44, Lot 7, Woolwich Township, Gloucester County, 53 Acres
5. Michael and Jane DiBella
Block 44, Lots 8 and 8.02, Woolwich Township, Gloucester County, 92 Acres
6. Heatherwood Farm III, LLC
Block 55, Lot 1, Woolwich Township, Gloucester County, 77 Acres
7. W.W. Heritage Sons, Inc.
Block 20, Lot 1, Harrison Township, Gloucester County, 37 Acres
8. Rosemary D. Wright revocable Trust & Joseph M. DiBella
Block 43, Lots 13 and 14, Woolwich Township, Gloucester County, 131 Acres
9. Harry and Cheryl Copeland
Block 39, Lot 3, Delaware Township, Hunterdon County, 70 Acres
10. Hill and Dale Farms, Inc. (Rothpletz # 2)
Block 38, Lot 1.05, Tewksbury Township, Hunterdon County, 43 Acres
11. Kenneth and Kathleen McDermott
Block 63, Lots 12, 13, 14, 21, 22, 25.01, Washington Township, Morris County, 212 Acres

The motion was approved. (Mr. Requa, Mr. Siegel and Chairman Fisher were absent for the vote.) (A copy of the Certification of Value Reports are attached to and are a part of the closed session minutes.)

B. Substantive Minutes of December 9, 2010 (portions of Open and Closed Session)

1. Princeton Nurseries – Upper Freehold Twp., Monmouth County,

Hamilton Twp., Mercer Co. and North Hanover Twp., Burlington Co.

Ms. Craft stated that the Committee is substantively approving these draft minutes that reflect action that it took so that they can be submitted to the Governor for approval to allow the SADC to execute the contracts before the next meeting of the SADC.

Ms. McGee asked if they could see those finalized substantive minutes ahead of time. Ms. Craft stated that there is a draft under tab 18 in the meeting binders but these will have to be amended in detail, which will be provided to you. Mr. Danser stated that the amended substantive minutes will reflect the three amendments to the resolution.

It was moved by Ms. Brodhecker and seconded by Ms. Reade to grant approval to substantive minutes of December 9, 2010 (portion of Open Session) dealing with the following properties known as the Wemple Farm, Scheese/Gravett Farm, Hutchinson Farm, Schlaepi Farm, Mifflin Farm, Josephson Farm, Anderson Farm, Thread Farm and Hannon Farm, collectively known as Princeton Nurseries, as presented and discussed in open session, subject to any conditions of said Resolution, and to provide the substantive minutes to the Governor's Authorities Unit for its review and approval.

Dr. Dey and Mr. Waltman recused themselves from the vote. It is noted that Chairman Fisher, Mr. Requa and Mr. Siegel had left the meeting and there is one Committee member absent. With Dr. Dey and Mr. Waltman recusing that leaves five Committee members voting. Ms. Craft stated that with five members voting there would not be a quorum. Mr. Danser stated that the minutes are in the open session and therefore Dr. Dey and Mr. Waltman were present for the session. Deputy Attorney General Jason Stypinski stated that you are just voting to approve the minutes. Mr. Danser stated you are voting to approve the actions that the Committee took. Mr. Stypinski agreed that the Committee is voting on the written minutes for approval.

Ms. Craft stated that you are only voting on minutes of actions that were handled in open session regarding the draft resolution with amendments. That is all you are attesting to. Ms. Craft asked Mr. Stypinski if they could proceed. Mr. Stypinski stated that the two members do not have to recuse themselves on the approval of the substantive minutes and therefore we have quorum to proceed.

The motion was approved. (Chairman Fisher, Mr. Siegel and Mr. Requa were absent for this vote.)

C. ATTORNEY/CLIENT MATTERS

1. Schnetzer v. Warren County, Warren County Agriculture Development Board and the SADC: Stipulation of Settlement

It was moved by Dr. Dey and seconded by Ms. Reade to accept the Stipulation of Settlement as presented and discussion in closed session. The motion was approved. (Chairman Fisher, Mr. Siegel and Mr. Requa were absent for this vote.) A copy of the Stipulation of Settlement is attached to and is a part of the closed session minutes.)

ADJOURNMENT

There being no further business, it was moved by Ms. Brodhecker and seconded by Dr. Dey and unanimously approved to adjourn the meeting at 4:35 p.m.

Respectfully Submitted,



Susan E. Craft, Executive Director
State Agriculture Development Committee

Attachments

S:\MINUTES\2010\Reg Dec 9 2010.doc

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2011R12(1)

FARMLAND PRESERVATION PROGRAM CERTIFICATION
"8 Year Program"

NEW ENROLLMENT

CUMBERLAND COUNTY

SARAH L. BONHAM

DECEMBER 9, 2010

Property: Block 18, Lot 5
 Hopewell Township, Cumberland County
 58.7 Acres
 SADC ID#06-0025-8F

WHEREAS, the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, provides for the creation of FARMLAND PRESERVATION PROGRAMS; and

WHEREAS, the Cumberland County Agriculture Development Board has submitted an approved PETITION, AGREEMENT and supporting documents to the State Agriculture Development Committee for certification of a FARMLAND PRESERVATION PROGRAM involving **Sarah L. Bonham, SADC ID# 06-0025-8F**, concerning the parcels of land located in the **Township of Hopewell, Cumberland County**, known and designated as the following: **Block 18, Lot 5**, consisting of **58.7** acres; and

WHEREAS, the State Agriculture Development Committee has reviewed said PETITION and accompanying documents to assure compliance with the provisions of N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq.;

NOW THEREFORE, BE IT RESOLVED that the State Agriculture Development Committee, under the authority of N.J.S.A. 4:1C-7 and N.J.A.C. 2:76-3.7, certifies the FARMLAND PRESERVATION PROGRAM of **Sarah L. Bonham, SADC ID# 06-0025-8F**, Block **18, Lot 5**, consisting of **58.7 acres** (Schedule A), which shall continue for an eight (8) year period beginning from the recording date of the fully executed AGREEMENT with the Cumberland County Clerk's Office; and

BE IT FURTHER RESOLVED that upon the effective date of the FARMLAND PRESERVATION PROGRAM, the landowners are eligible to receive the benefits described in the AGREEMENT pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-3 et seq.; and

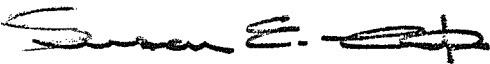
BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 2:76-5.4(d), the landowner or farm agent as an agent for the landowner shall be eligible to apply to the local soil conservation district for up to the following soil and water state cost-share grant in the amount of **\$5,870.00**, subject to availability of such funds (Schedule B); and

BE IT FURTHER RESOLVED that work performed on projects prior to Soil Conservation District and State Soil Conservation Committee approval will not be eligible for cost sharing; and

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10

Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	RECUSE
Stephen P. Dey	YES

Date Agreement (F3-A) Recorded

Authorized CADB Signature

Eight Year Program Requests for Certification NEW ENROLLMENTS SUMMARY

FARMLAND PRESERVATION PROGRAM						
Landowner/Agent	SADC ID #	Municipality	Acres	Block(s)	Lot(s)	Soil and Water Eligibility
Cumberland County						
Sarah L. Bonham	06-0025-8F	Hopewell	58.70	18	5	5,870.00
John & Sarah L. Bonham have a permanently preserved property (06-0005-PG), 106.818 acres, preserved 4/3/09, \$40,681.80 eligibility Under common deed of ownership, the new 8 yr program has \$5,870.00 eligibility (58.7 acres X \$100.00/acre)						
1			58.70			5,870.00
Total New Enrollments - 1						
			58.70			5,870.00

VIII A-1 ✓

Wetlands

Schredette H

Application within the (PA4) Rural Area

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Sarah L. Bonham Farm
Block 18 Lot 5 (56.4 ac)
Gross Total = 56.4 ac
Hopewell Twp., Cumberland County

250 125 0 250 500 Feet



	Property in Question
	BN - (Non-Severable) Exception
	BS - (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned QFS & Recreation Easement
	Federal Land

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

November 19, 2010

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY11R12(2)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

ROGER R. KUMPEL

DECEMBER 9, 2010

WHEREAS, **Roger R. Kumpel, SADC ID# 03-0019-PG**, located in Southampton Township, Burlington County has conveyed a development easement on the Premises to the Burlington County Agriculture Development Board pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowner is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the Burlington County Agriculture Development Board, which expires on February 7, 2013; and

WHEREAS, the landowner has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowners; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2011 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:

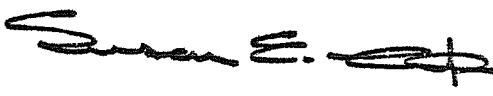
<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Roger R. Kumpel	03-0019-PG	\$13,650.00	23

Project Description: Installation of an animal waste control facility consisting of 1,500 sq. feet of paved heavy use protection area and 1,500 sq. feet of heavy use pavilion roof; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	RECUSED
Richard Boornazian (rep. DEP Comm. Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Acting Comm. Grifa)	YES
James Waltman	YES
Torrey Reade	YES
Jane Brodhecker	YES
Stephen P. Dey	YES
Alan Danser	YES
Denis C. Germano, Esq.	ABSENT



NEW JERSEY DEPARTMENT OF AGRICULTURE
STATE SOIL CONSERVATION COMMITTEE
STATE COST SHARING PROGRAM

PROJECT APPLICATION AND AGREEMENT
(AUTHORITY N.J.A.C. 2:90-3 et. seq.)

App. #2

16. STATE OFFICE USE:

STATE ID# 03-0019-PG

1. NAME AND ADDRESS ROGER KUMPEL 136 PEMBERTON ROAD SOUTHAMPTON, NJ 08088				2. APPLICANT CLASSIFICATION: (Check appropriate box) Landowner <input checked="" type="checkbox"/> Farm Operator <input type="checkbox"/> (if other than landowner) Phone No. 609-857-3673			
3. FARM LOCATION (Street address and municipality and lot and block number) 136 PEMBERTON ROAD LOT: 9.02 BLOCK: 12.03				4. TYPE OF ASSISTANCE REQUESTED: Erosion and Sediment Control <input type="checkbox"/> Forestry <input type="checkbox"/> Water Management <input type="checkbox"/> Waste Management <input checked="" type="checkbox"/> Other <input type="checkbox"/> Describe: _____ I hereby request planning assistance as indicated above. Signature <u>Roger Kumpel</u> Date <u>8/30/10</u>			
5. JOINT COST SHARING: Are you applying for cost sharing from any other program? Yes _____ Which program _____ No _____ Explain why _____				6. SCD ACKNOWLEDGEMENT AND REFERRAL: The <u>BURLINGTON SOIL</u> district hereby acknowledges receipt of this application and has referred same to SCS <u>NJBFM</u> OTHER _____ for feasibility review and technical recommendation. Signature _____ Title _____ Date _____			
7. REQUESTED PROJECTS (To be completed by Technical Agency. Specific details of projects are outlined in attached CPD). Funding approval shall be valid for 3 years from date of approval as specified in block 15. Work must commence within 12 months of funding approval or the application is subject to cancellation. Work performed on projects prior to approval will not qualify for cost sharing.)							
Projects Needed A	CPD Item No. B	Field No. C	Extent (ft./ac.) or other unit D	Initial Cost Estimate (per unit and/or project) E	Requested State Cost Share Amount (\$) F	Extent Approved (\$) (State Office Use) G	
2.90-2.23 Animal Waste Control							
561 - HUAP, Concrete	1	10	1500 ft.	\$15,000.00	\$7,500.00	\$7,500.00	
561 - HUAP - Pavilion Roof	2	10	1500 ft.	\$12,300.00	\$6,150.00	\$6,150.00	
Totals				\$27,300.00	\$13,650.00	\$13,650.00	
8. APPLICANT CERTIFICATION: I request State cost sharing assistance as indicated in block 7 under the Farmland Preservation Program. I intend to complete the project(s) in accordance with a Farm Conservation Plan approved by the conservation district and will maintain such projects for at least 8 years. I agree to refund all or part of State cost sharing assistance if I fail to maintain such projects. I further certify that I have requested cost sharing assistance through ASCS and other available cost sharing programs and where applicable such cost sharing has been incorporated in the conservation plan of operations (CPO). Signature <u>Roger Kumpel</u> (Landowner/farm operator)* Date <u>8/30/10</u> *If application is made by the farm operator, attach landowner written authorization. (See guidelines for block 8)							
9. TECHNICAL AGENCY RECOMMENDATION: The projects listed in Block 7 are essential and applicable to the landowner's proposed operation and are incorporated in attached farm conservation plan and CPO. Signature _____ Title _____ Date <u>9/2/10</u> X <u>Severin Kincannon Jr</u>				10. OTHER COST SHARING AGENCY COORDINATION: The _____ has reviewed this application and verifies that cost sharing will <input type="checkbox"/> will not <input type="checkbox"/> be provided through the _____ cost sharing program as specified in attached CPO. Signature _____ Title _____ Date _____			
11. SCD APPROVAL: The <u>Burlington</u> SCD hereby certifies that this application is eligible for cost sharing; approves the requested projects and the attached farm conservation plan; recommends State funding approval of amounts in block 7 column F; and agrees to inspect projects for maintenance as required by N.J.A.C. 2:90-3.11. (Attach copy of CADB program enrollment certification.) Signature _____ Title _____ Date <u>9/2/10</u> X <u>William Costa</u> SCD Chairman				12. CADB COORDINATION: (To be completed where no county appropriated funds are provided to the applicant) A copy of this application form has been filed with the _____ CADB. No county appropriated funds will be provided to the applicant. Signature _____ Title _____ Date _____ X _____ SCD Chairman			
14. SSCC APPROVAL: The SSCC has reviewed and approved this application and recommends funding as identified in Block 7, Column G. Special Remarks: _____ Signature <u>[Signature]</u> Title <u>ADM. ANALYST</u> Date <u>11/18/10</u> X _____				13. CADB CONCURRENCE: (To be completed only where county appropriated funds are provided to the applicant). A. A copy of this application has been forwarded to the _____ CADB for concurrence. Signature _____ Title _____ Date _____ X _____ SCD Chairman B. The _____ CADB concurs with this cost sharing request and will provide county appropriated funds to the applicant in the amount of \$ _____ (schedule attached) Signature _____ Title _____ Date _____ X _____ CADB Chairman			
15. SADC APPROVAL FOR FUNDING: The SADC hereby approves cost sharing funds in the amount of \$ <u>13,650.00</u> . Such approval shall be valid for 3 years from date below. Signature <u>[Signature]</u> Title _____ Date <u>12/9/10</u> X _____							

EXECUTIVE DIRECTOR, SADC

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY11R12(3)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

BURLINGTON COUNTY

RUTH L. KUMPEL

DECEMBER 9, 2010

WHEREAS, **Ruth L. Kumpel, SADC ID# 03-0038-PN**, located in Southampton Township, Burlington County has conveyed a development easement on the Premises to the Burlington County Agriculture Development Board pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowner is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the Burlington County Agriculture Development Board, which expires on November 13, 2011; and

WHEREAS, the landowner has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowners; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2011 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:

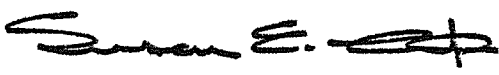
<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Ruth L. Kumpel	03-0038-PN	\$30,680.00	15

Project Description: Installation of a linear movement low pressure sprinkler system for 30 acres, and 1,500 feet of 6-inch PVC pipe underground; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	RECUSED
Richard Boornazian (rep. DEP Comm. Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Acting Comm. Grifa)	YES
James Waltman	YES
Torrey Reade	YES
Jane Brodhecker	YES
Stephen P. Dey	YES
Alan Danser	YES
Denis C. Germano, Esq.	ABSENT

NEW JERSEY DEPARTMENT OF AGRICULTURE
STATE SOIL CONSERVATION COMMITTEE
STATE COST SHARING PROGRAM

PROJECT APPLICATION AND AGREEMENT
(AUTHORITY N.J.A.C. 2:90-3 et. seq.)

Appl. #4

16. STATE OFFICE USE:

STATE ID# 03-0038-AU

<p>1. NAME AND ADDRESS:</p> <p>RUTH KUMPEL 136 PEMBERTON ROAD SOUTHAMPTON, NJ 08088</p> <hr/> <p>3. FARM LOCATION: (Street address and municipality and lot and block number)</p> <p>136 PEMBERTON ROAD LOT: 6.01 BLOCK: 12.01</p> <hr/> <p>5. JOINT COST SHARING:</p> <p>Are you applying for cost sharing from any other program? Yes _____ Which program _____ No _____ Explain why _____</p> <hr/> <p>6. SCD ACKNOWLEDGEMENT AND REFERRAL: The <u>BURLINGTON SOIL</u> district hereby acknowledges receipt of this application and has referred same to SCS <u>NJBPM</u> OTHER _____ for feasibility review and technical recommendation.</p> <p>Signature _____ Title _____ Date _____</p> <hr/> <p>7. REQUESTED PROJECTS (To be completed by Technical Agency. Specific details of projects are outlined in attached CPD). Funding approval shall be valid for 3 years from date of approval as specified in block 15. Work must commence within 12 months of funding approval or the application is subject to cancellation. Work performed on projects prior to approval will not qualify for cost sharing.)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Projects Needed A</th> <th style="text-align: center;">CPD Item No. B</th> <th style="text-align: center;">Field No. C</th> <th style="text-align: center;">Extent (Ft./ac.) or other unit D</th> <th style="text-align: center;">Initial Cost Estimate (per unit and/or project) E</th> <th style="text-align: center;">Requested State Cost Share Amount (\$) F</th> <th style="text-align: center;">Extent Approved (\$) (State Office Use) G</th> </tr> </thead> <tbody> <tr> <td>2:90 - 2:15 Irrigation System</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>442 - Sprinkler Linear Move</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">30 AC</td> <td style="text-align: right;">\$51,000.00</td> <td style="text-align: right;">\$25,500.00</td> <td style="text-align: right;">\$24,400.95</td> </tr> <tr> <td>430RD - PVC 6" Diameter, underground</td> <td style="text-align: center;">2</td> <td style="text-align: center;">123</td> <td style="text-align: center;">1500 FT.</td> <td style="text-align: right;">\$13,125.00</td> <td style="text-align: right;">\$6,562.50</td> <td style="text-align: right;">\$6,279.65</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td align="right" colspan="4">Totals</td><td style="text-align: right;">\$64,125.00</td><td style="text-align: right;">\$32,062.50</td><td style="text-align: right;">\$30,680.60</td></tr> </tbody> </table> <hr/> <p>8. APPLICANT CERTIFICATION:</p> <p>I request State cost sharing assistance as indicated in block 7 under the Farmland Preservation Program. I intend to complete the project(s) in accordance with a Farm Conservation Plan approved by the conservation district and will maintain such projects for at least 8 years. I agree to refund all or part of State cost sharing assistance if I fail to maintain such projects. I further certify that I have requested cost sharing assistance through ASCS and other available cost sharing programs and where applicable such cost sharing has been incorporated in the conservation plan of operations (CPD).</p> <p>Signature <u>Ruth Kumpele</u> (Landowner/farm operator)* <u>9/22/10</u> (Date)</p> <p>*If application is made by the farm operator, attach landowner written authorization. (See guidelines for block 8)</p> <hr/> <p>9. TECHNICAL AGENCY RECOMMENDATION:</p> <p>The projects listed in Block 7 are essential and applicable to the landowners proposed operation and are incorporated in attached farm conservation plan and CPD.</p> <p>Signature _____ Title _____ Date _____</p> <p>X <u>Scott H. Morgan DC</u> <u>9/22/10</u></p> <hr/> <p>11. SCD APPROVAL:</p> <p>The <u>Burlington</u> SCD hereby certifies that this application is eligible for cost sharing; approves the requested projects and the attached farm conservation plan; recommends State funding approval of amounts in block 7 column F; and agrees to inspect projects for maintenance as required by N.J.A.C. 2:90-3.11. (Attach copy of CADB program enrollment certification.)</p> <p>Signature _____ Title _____ Date _____</p> <p>X <u>Vickie Cole</u> SCD Chairman <u>9/22/10</u></p> <hr/> <p>14. SSCC APPROVAL:</p> <p>The SSCC has reviewed and approved this application and recommends funding as identified in Block 7, Column G.</p> <p>Special Remarks: _____</p> <p>Signature _____ Title <u>ANALYST</u> Date <u>11/8/10</u></p> <p>X <u>[Signature]</u> <u>11/8/10</u></p> <hr/> <p>15. SACD APPROVAL FOR FUNDING:</p> <p>The SACD hereby approves cost sharing funds in the amount of \$ <u>30,680.60</u>. Such approval shall be valid for 3 years from date below.</p> <p>Signature _____ Title _____ Date _____</p> <p>X <u>[Signature]</u> <u>12/19/10</u></p>	Projects Needed A	CPD Item No. B	Field No. C	Extent (Ft./ac.) or other unit D	Initial Cost Estimate (per unit and/or project) E	Requested State Cost Share Amount (\$) F	Extent Approved (\$) (State Office Use) G	2:90 - 2:15 Irrigation System							442 - Sprinkler Linear Move	1	1	30 AC	\$51,000.00	\$25,500.00	\$24,400.95	430RD - PVC 6" Diameter, underground	2	123	1500 FT.	\$13,125.00	\$6,562.50	\$6,279.65																													Totals				\$64,125.00	\$32,062.50	\$30,680.60	<p>APPLICANT CLASSIFICATION: (Check appropriate box)</p> <p>Landowner <input checked="" type="checkbox"/> Farm Operator <input type="checkbox"/> (if other than landowner)</p> <p>Phone No. <u>609-869-3173</u></p> <hr/> <p>4. TYPE OF ASSISTANCE REQUESTED:</p> <p>Erosion and Sediment Control <input type="checkbox"/> Forestry <input type="checkbox"/> Water Management <input checked="" type="checkbox"/> Waste Management <input type="checkbox"/> Other <input type="checkbox"/> Describe: _____</p> <p>I hereby request planning assistance as indicated above. Signature <u>Ruth Kumpele</u> Date <u>9/22/10</u></p> <hr/> <p>10. OTHER COST SHARING AGENCY COORDINATION:</p> <p>The _____ has reviewed this application and verifies that cost sharing will <input type="checkbox"/> will not <input type="checkbox"/> be provided through the _____ cost sharing program as specified in attached CPD.</p> <p>Signature _____ Title _____ Date _____</p> <p>X _____</p> <hr/> <p>12. CADB COORDINATION: (To be completed where no county appropriated funds are provided to the applicant)</p> <p>A copy of this application form has been filed with the _____ CADB. No county appropriated funds will be provided to the applicant.</p> <p>Signature _____ Title _____ Date _____</p> <p>X _____ SCD Chairman</p> <hr/> <p>13. CADB CONCURRENCE: (To be completed only where county appropriated funds are provided to the applicant)</p> <p>A. A copy of this application has been forwarded to the _____ CADB for concurrence.</p> <p>Signature _____ Title _____ Date _____</p> <p>X _____ SCD Chairman</p> <p>B. The _____ CADB concurs with this cost sharing request and will provide county appropriated funds to the applicant in the amount of \$ _____ (schedule attached)</p> <p>Signature _____ Title _____ Date _____</p> <p>X _____ CADB Chairman</p>
Projects Needed A	CPD Item No. B	Field No. C	Extent (Ft./ac.) or other unit D	Initial Cost Estimate (per unit and/or project) E	Requested State Cost Share Amount (\$) F	Extent Approved (\$) (State Office Use) G																																																										
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EXECUTIVE DIRECTOR, SADC

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY11R12(4)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

MIDDLESEX COUNTY

DONALD AND LYNDA PATTERSON

DECEMBER 9, 2010

WHEREAS, **Donald & Lynda Patterson, SADC ID# 12-0005-EP**, located in Cranbury Township, Middlesex County have conveyed a development easement on the Premises to the Middlesex County Agriculture Development Board pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowners are eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the Middlesex County Agriculture Development Board, which expires on August 25, 2017; and

WHEREAS, the landowners have applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowner; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2011 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:


<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Donald & Lynda Patterson	12-0005-EP	\$15,425.00	15

Project Description: Installation of a 205 foot corner arm for a center pivot system; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Comm. Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Acting Comm. Grifa)	YES
James Waltman	YES
Torrey Reade	YES
Jane Brodhecker	YES
Stephen P. Dey	YES
Alan Danser	RECUSED
Denis C. Germano, Esq.	ABSENT

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY11R12(5)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

MONMOUTH COUNTY

CONCORDE STUD FARM

DECEMBER 9, 2010

WHEREAS, **Concorde Stud Farm, SADC ID# 13-0038-EP**, located in Upper Freehold Township, Monmouth County has conveyed a development easement on the Premises to the Monmouth County Agriculture Development Board pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowner is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the Monmouth County Agriculture Development Board, which expires on May 6, 2015; and

WHEREAS, the landowner has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowner; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2011 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:


<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Concorde Stud Farm	13-0038-EP	\$3,585.00	11

Project Description: Installation of 1,500 ft. of access control fence for stream protection; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date


Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Comm. Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Acting Comm. Grifa)	YES
James Waltman	YES
Torrey Reade	YES
Jane Brodhecker	YES
Stephen P. Dey	YES
Alan Danser	YES
Denis C. Germano, Esq.	ABSENT



NEW JERSEY DEPARTMENT OF AGRICULTURE
STATE SOIL CONSERVATION COMMITTEE
STATE COST SHARING PROGRAM

PROJECT APPLICATION AND AGREEMENT
(AUTHORITY N.J.A.C. 2:90-3 et. seq.)

1. NAME AND ADDRESS <i>Concordia Steel Farm 20 Harvey Rd Circum Ridge, NJ 08514</i>				3. Agreement # <i>2</i>		5. STATE OFFICE USE STATE ID # <i>13-00384</i>			
2. FARM LOCATION Street Address <i>20 Harvey Rd</i> Municipality <i>Upper Freehold</i> Block and Lot <i>B23 L1</i> County <i>Monmouth</i>				4. Total Acres in Farm <i>2.88</i>		5. APPLICANT CLASSIFICATION Landowner <input checked="" type="checkbox"/> Farm Operator <input checked="" type="checkbox"/> (If other than landowner)			
6. JOINT COST SHARING Are you applying for cost sharing from any other program? Yes <input type="checkbox"/> Which program _____ No <input checked="" type="checkbox"/> Explain why _____									
7. Eligible Project Code *	Practice Name/ Project Component	ITEM NO.	FIELD NO.	Estimated Amount/Units	Cost Per Unit	Initial Cost Estimate (per unit and/or project)	C/S %	Requested State Cost Share Amount (\$)	Extent Approved (\$ (State Office Use)
A	B	C	D	E	F	G	H	I	J
2.90	Stream Protection								
2.11	Access Control Fence	8	5	1500 Ft	4.78	\$7,170.00	50	\$3585.00	\$3585.00
8. HUC 14					Totals:	7,170.00		3585.00	\$3585.00
9. APPLICANT CERTIFICATION: I request State cost sharing assistance as indicated in block 7 under the Farmland Preservation Program. I intend to complete the project (s) in accordance with a Farm Conservation Plan approved by the conservation district and if I fail to maintain such projects for at least 8 years I agree to refund all or part of State cost sharing assistance. I further certify that I have requested cost sharing assistance through other available cost sharing programs and, where applicable, such cost sharing has been incorporated. By signing, I understand that I grant permission for the NRCS or a TSP to provide NJDA-SSCC with a copy of my conservation plan and associated documents as needed. I further understand that NJDA will not release these documents to any person or organization without my permission. Signature: <i>[Signature]</i> (Landowner/Farm Operator) Date: <i>8/18/10</i> NOTE: If applicant is not the landowner, application must include 'Landowner or Corporate Authorization' form.									
10. TECHNICAL AGENCY RECOMMENDATION: The projects listed in Block 7 are essential and applicable to the landowners proposed operation and are incorporated in the attached farm conservation plan and CPO. Signature: <i>[Signature]</i> Title: <i>Soil Conservation District Administrator</i> Date: <i>9/8/10</i>					11. SCD APPROVAL The <i>Freehold</i> SCD hereby certifies that this application is eligible for cost sharing; approves the requested projects and the attached farm conservation plan; recommends State funding approval of amounts in Block 7, Column I; and agrees to inspect projects for maintenance as required by N.J.A.C. 2:90-3.11. Signature: <i>[Signature]</i> Title: <i>Chairman</i> Date: <i>SEPT. 8, 2010</i>				
12. SSCC APPROVAL The SSCC has reviewed and approved this application and recommends funding as identified in Block 7, Column J. Special Remarks: <i>[Signature]</i> Signature: <i>[Signature]</i> Title: <i>Adm. Analyst</i> Date: <i>11/8/10</i>					13. SADC APPROVAL FOR FUNDING: The SADC hereby approves cost sharing funds in the amount of \$ <i>3,585.00</i> . Such approval shall be valid for 3 years from date below. Signature: <i>[Signature]</i> Title: <i>EXECUTIVE DIRECTOR, SADC</i> Date: <i>12/9/10</i>				
14. REQUESTED PROJECTS To be completed by Technical Agency. Funding approval shall be valid for 3 years from date of approval as specified in block 13. Work must commence within 12 months of funding approval or the application is subject to cancellation. Work performed on projects prior to approval will not qualify for cost sharing. Project costs and cost shares approved are based on the average cost table approved by the district. Payment will be based on the approved percentage of the actual cost of project installation, but will not exceed the amount approved for cost sharing. Payment will be made by the NJ Department of Agriculture upon completion of the projects as certified by the district. Bills must be provided to support cost of materials and installation.									

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY11R12(6)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

OCEAN COUNTY

HISHAM MOHARRAM

DECEMBER 9, 2010

WHEREAS, **Hisham Moharram, SADC ID# 15-0031-EP**, located in Plumsted Township, Ocean County has conveyed a development easement on the Premises to the Ocean County Agriculture Development Board pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowner is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the Ocean County Agriculture Development Board, which expires on June 10, 2018; and

WHEREAS, the landowner has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowners; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2011 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:


<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Hisham Moharram	15-0031-EP	\$5,000.00	15

Project Description: Installation of two low pressure pumping plants, greater than 5 horsepower; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Comm. Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	RECUSED
James Requa (rep. DCA Acting Comm. Grifa)	YES
James Waltman	YES
Torrey Reade	YES
Jane Brodhecker	YES
Stephen P. Dey	YES
Alan Danser	YES
Denis C. Germano, Esq.	ABSENT

EXECUTIVE DIRECTOR, SADC

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY11R12(7)

SOIL AND WATER CONSERVATION COST SHARE GRANT

NEW REQUEST

WARREN COUNTY

BRIAN FOLEY

DECEMBER 9, 2010

WHEREAS, **Brian Foley, SADC ID# 21-0019-NP**, located in Washington & Franklin Townships, Warren County has conveyed a development easement on the Premises to the New Jersey Conservation Foundation pursuant to the Agriculture Retention and Development Act; and

WHEREAS, the above landowner is eligible to apply for a soil and water conservation cost-share grant for the installation of soil and water conservation projects approved by the Department of Agriculture, State Soil Conservation Committee (SSCC) pursuant to N.J.A.C. 2:90-3; and

WHEREAS, funding eligibility is determined pursuant to N.J.A.C. 2:76-5.4 and continues for a period of eight years from the date the development easement was conveyed to the New Jersey Conservation Foundation, which expires on May 8, 2016; and

WHEREAS, the landowner has applied for a soil and water cost-share grant for the installation of approved soil and water conservation projects; and

WHEREAS, N.J.S.A. 4:1C-13 defines soil and water conservation projects as any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity; and

WHEREAS, the SSCC has approved soil and water conservation projects that are part of a farm conservation plan approved by the local soil conservation district for the above farm and identified herein; and

WHEREAS, pursuant to N.J.A.C. 2:76-5.7, the State Agriculture Development Committee (SADC) shall review and approve, conditionally approve or disapprove applications for funds authorized and appropriated to the SADC from the General Fund, 1989 Bond Fund, 1992 Bond Fund and 1995 Bond Fund for providing grants to eligible landowners for up to 50 percent of the cost of the soil and water conservation projects; and

WHEREAS, the SADC has reviewed the cost-share funding amounts of the above landowner; and

NOW THEREFORE BE IT RESOLVED that soil and water cost-share funds are approved from funds appropriated to the SADC in FY 2011 from the General Fund and in the FY 2009 Appropriation Bill from the 1989, 1992 and 1995 Bond Fund for funding eligible landowners for up to 50 percent of the cost of soil and water conservation projects for lands entered into eight-year year period under the county easement grant program and identified as:


<u>APPLICANT</u>	<u>SADC ID#</u>	<u>COST SHARE</u>	<u>PROJECT TYPE</u>
Brian Foley	21-0019-NP	\$32,434.80	23

Project Description: Installation of an animal waste control facility consisting of 1,700 sq. feet of paved heavy use protection area, 1,700 sq. feet of heavy use pavilion roof, 1,200 sq. feet of dry stack waste storage facility, 1,200 sq. feet of waste storage facility pavilion roof, 2,900 sq. feet of gutter and downspout roof runoff structure, 75 feet of 10 inch underground outlet and 1 underground outlet animal guard; and

BE IT FURTHER RESOLVED that payment shall be contingent upon the completion of the project as verified by the State Soil Conservation Committee and availability of funds.

BE IT FURTHER RESOLVED that this approval is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Comm. Martin)	YES
Ralph Siegel (rep. State Treasurer Andrew P. Sidamon-Eristoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Requa (rep. DCA Acting Comm. Grifa)	YES
James Waltman	YES
Torrey Reade	YES
Jane Brodhecker	YES
Stephen P. Dey	YES
Alan Danser	YES
Denis C. Germano, Esq.	ABSENT



NEW JERSEY DEPARTMENT OF AGRICULTURE
STATE SOIL CONSERVATION COMMITTEE
STATE COST SHARING PROGRAM

PROJECT APPLICATION AND AGREEMENT
(AUTHORITY N.J.A.C. 2:90-3 et. seq.)

16. STATE OFFICE USE:
STATE ID# 21-0019-NP

1. NAME AND ADDRESS Brian Foley 75 Kayharts Lane Washington, NJ 07882				2. APPLICANT CLASSIFICATION: (Check appropriate box) Landowner <input checked="" type="checkbox"/> Farm Operator <input type="checkbox"/> (if other than landowner) Phone No. _____			
3. FARM LOCATION (Street address and municipality and lot and block number) 247 Cemetery Hill Rd Franklin, NJ Washington Block: 71 Lot: 1; Franklin Block: 49, Lot: 1				4. TYPE OF ASSISTANCE REQUESTED: Erosion and Sediment Control <input checked="" type="checkbox"/> Forestry <input type="checkbox"/> Water Management <input type="checkbox"/> Waste Management <input checked="" type="checkbox"/> Other <input type="checkbox"/> Describe: _____ I hereby request planning assistance as indicated above. Signature <u>Brian Foley</u> Date <u>9-29-10</u>			
5. JOINT COST SHARING: Are you applying for cost sharing from any other program? Yes <input checked="" type="checkbox"/> Which program <u>EQIP/AMA</u> No <input type="checkbox"/> Explain why <u>for pasture management</u> fence, waterline, etc.							
6. SCD ACKNOWLEDGEMENT AND REFERRAL: The <u>Warren</u> district hereby acknowledges receipt of this application and has referred same to SCS <input checked="" type="checkbox"/> NJBFW <input type="checkbox"/> OTHER <input type="checkbox"/> for feasibility review and technical recommendation. Signature _____ Title <u>Wayne R. Jara</u> Date <u>10/13/10</u>							
7. REQUESTED PROJECTS (To be completed by Technical Agency. Specific details of projects are outlined in attached (CPD). Funding approval shall be valid for 3 years from date of approval as specified in block 15. Work must commence within 12 months of funding approval or the application is subject to cancellation. Work performed on projects prior to approval will not qualify for cost sharing.)							
Projects Needed A	CPD Item No. B	Field No. C	Extent (ft./ac.) or other unit D	Initial Cost Estimate (per unit and/or project) E	Requested State Cost Share Amount (\$) F	Extent Approved (\$) (State Office Use) G	
2:90 - 2.23 Animal Waste control facilit	1 & 2	HQ	1700 sf	\$30,940.00	\$15,470.00	\$14,699.38	
2:90 - 2.23 Animal Waste control facilit	3 & 4	HQ	1200 sf	\$33,840.00	\$16,920.00	\$16,033.92	
2:90 - 2.23 Animal Waste control facilit	5	HQ	2900 sf	\$2,900.00	\$1,450.00	\$1,374.35	
2:90 - 2.23 Animal Waste control facilit	6	HQ	75 ft	\$750.00	\$375.00	\$355.30	
2:90 - 2.23 Animal Waste control facilit	7	HQ	1	\$25.00	\$12.50	\$11.85	
Totals				\$68,455.00	\$34,227.50	\$32,434.80	
8. APPLICANT CERTIFICATION: I request State cost sharing assistance as indicated in block 7 under the Farmland Preservation Program. I intend to complete the project(s) in accordance with a Farm Conservation Plan approved by the conservation district and will maintain such projects for at least 8 years. I agree to refund all or part of State cost sharing assistance if I fail to maintain such projects. I further certify that I have requested cost sharing assistance through ASCS and other available cost sharing programs and where applicable such cost sharing has been incorporated in the conservation plan of operations (CPD). Signature <u>Brian Foley</u> (Landowner/farm operator)* Date <u>9-29-10</u>							
*If application is made by the farm operator, attach landowner written authorization. (See guidelines for block 8)							
9. TECHNICAL AGENCY RECOMMENDATION: The projects listed in Block 7 are essential and applicable to the landowners proposed operation and are incorporated in attached farm conservation plan and CPD. Signature <u>Pam Miller</u> Title <u>DC</u> Date <u>10/12/2010</u>				10. OTHER COST SHARING AGENCY COORDINATION: The _____ has reviewed this application and verifies that cost sharing will <input type="checkbox"/> will not <input type="checkbox"/> be provided through the _____ cost sharing program as specified in attached CPD. Signature _____ Title _____ Date _____			
11. SCD APPROVAL: The <u>Warren</u> SCD hereby certifies that this application is eligible for cost sharing; approves the requested projects and the attached farm conservation plan; recommends State funding approval of amounts in block 7 column F; and agrees to inspect projects for maintenance as required by N.J.A.C. 2:90-3.11. (Attach copy of CADB program enrollment certification.) Signature <u>Adam R. Jara</u> Title <u>SCD Chairman</u> Date <u>10/13/10</u>				12. CADB COORDINATION: (To be completed where no county appropriated funds are provided to the applicant) A copy of this application form has been filed with the _____ CADB. No county appropriated funds will be provided to the applicant. Signature _____ Title _____ Date _____ X _____ SCD Chairman			
14. SSCC APPROVAL: The SSCC has reviewed and approved this application and recommends funding as identified in Block 7, Column G. Special Remarks: Signature <u>[Signature]</u> Title <u>ANALYST</u> Date <u>11/10/10</u>				13. CADB CONCURRENCE: (To be completed only where county appropriated funds are provided to the applicant). A. A copy of this application has been forwarded to the _____ CADB for concurrence. Signature _____ Title _____ Date _____ X _____ SCD Chairman B. The _____ CADB concurs with this cost sharing request and will provide county appropriated funds to the applicant in the amount of \$ _____ (schedule attached) Signature _____ Title _____ Date _____ X _____ CADB Chairman			
15. SADC APPROVAL FOR FUNDING: The SADC hereby approves cost sharing funds in the amount of \$ <u>32,434.80</u> . Such approval shall be valid for 3 years from date below. Signature <u>[Signature]</u> Title _____ Date <u>12/9/10</u>							

EXECUTIVE DIRECTOR, SADC

SSCC CSAF 9/85

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION # FY2011R12(8)

FINAL APPROVAL

Of

**MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATIONS
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLANS AND PROJECT
AREA SUMMARIES
HOLMDEL TOWNSHIP, MONMOUTH COUNTY
UPPER FREEHOLD TOWNSHIP, MONMOUTH COUNTY**

2009 FUNDING ROUND

December 9, 2010

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide a grant to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a municipality shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area ("ADA") authorized pursuant to the Agriculture Retention and Development Act, P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish an agricultural advisory committee composed of at least three, but not more than five, residents with a majority of the members actively engaged in farming and owning a portion of the land they farm;
3. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, such as, but not limited to, repeated annual appropriations or repeated issuance of bonded indebtedness, which the SADC deems to be, in effect, a dedicated source of funding; and
4. Prepare a farmland preservation plan element pursuant to paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28) in consultation with the agricultural advisory committee; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17A (N.J.A.C. 2:76-17A) to implement the Farmland Preservation Planning Incentive Grant Act, P.L.

1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a municipal farmland preservation planning incentive grant program; and

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a municipal comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. The adopted farmland preservation plan element of the municipal master plan;
2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;
3. A description of the land use planning context for the municipality's farmland preservation initiatives including identification and detailed map of the county's adopted Agricultural Development Area (ADA) within the municipality, consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives and consistency with municipal, regional and State land use planning and conservation efforts;
4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, including a summary of available municipal funding and approved funding policies in relation to the municipality's one-, five- and ten-year preservation projections;
5. A discussion of the actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
6. Other farmland preservation techniques being utilized or considered by the municipality;
7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts, including any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications in relation to SADC minimum eligibility criteria as described at N.J.A.C. 2:76-6.20, adopted ranking criteria in relation to SADC ranking factors at N.J.A.C. 2:76-6.16, and any other policies, guidelines or standards that affect application evaluation or selection;
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
9. Any other information as deemed appropriate by the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.5, the SADC required the municipality to prepare a project area summary containing the following information for each project area:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;
4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

WHEREAS, on May 24, 2007, the SADC adopted *Guidelines for Developing Municipal Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17A and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, the *Guidelines* emphasize that these Municipal Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the municipal Agricultural Advisory Committee, municipal Planning Board, CADB, county Planning Board and the county Board of Agriculture, and where appropriate, in conjunction with surrounding municipalities and the County Comprehensive Farmland Preservation Plan, with at least two public meetings including a required public hearing prior to Planning Board adoption as an element of the municipal master plan; and

WHEREAS, SADC staff have worked in partnership with municipal representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(a), the SADC received 37 municipal planning incentive grant applications by the December 17, 2007 deadline (since December 15, 2007 fell on a Saturday), consisting of a copy of the municipality's draft comprehensive farmland preservation plan, annual application and all applicable project area summaries, as summarized in the attached Schedule A; and

WHEREAS, these 37 applications identified 89 project areas in 7 counties and targeted 1,723 farms and 85,464 acres at an estimated total cost of \$1,574,734,000, with a ten-year preservation goal of 57,449 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(b)1 and N.J.A.C. 2:76-17A.6(b)2, in order to improve municipal and county farmland preservation coordination, the municipality forwarded its application to the county for review and provided evidence of county review and comment and, if appropriate, the level of funding the county is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, SADC staff reviewed and evaluated the municipalities' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry; and

WHEREAS, on May 22, 2008, the SADC granted conditional preliminary approval to all 37 municipal planning incentive grant applications received for the 2009A Municipal Planning Incentive Grant funding round; and

WHEREAS, the conditions of preliminary approval for each of the Townships listed below were as follows:

1. SADC determination that each designated project area is complete and technically accurate.
2. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal planning board after a properly noticed public hearing.
3. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan; and

WHEREAS, SADC staff have since determined that the following Townships have satisfied all requirements of the conditional preliminary approval; and

WHEREAS, to date \$750,000 of FY09 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area and an additional \$500,000 of FY11 funding is pending appropriation; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the following municipal Planning Incentive Grant applications submitted under the FY09 program funding round as summarized in the attached Schedule B:

1. Holmdel Township, Monmouth County
2. Upper Freehold Township, Monmouth County


BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and SADC Resolution #FY08R5(44); and

BE IT FURTHER RESOLVED, that the SADC will monitor the municipality's funding plan pursuant to N.J.A.C. 2:76-17A.17 and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan. Each Planning Incentive Grant municipality should expend its grant funds within three years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within three years are subject to reappropriation and may no longer be available to the municipality; and

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; and

BE IT FURTHER RESOLVED, that the SADC's approval is conditioned upon the Governor's review period pursuant to N.J.S.A 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Schedule A

2009 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

As of 12/09/10

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost Per Acre	Project Area Acreage	1-Year Average Goal	5-Year Average Goal	10-Year Average Goal	10-Year Total Cost	10-Year SADC Cost	Dedicated Tax \$0.0 / \$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Burlington	4	207	22,804	\$100,000,000	\$8,577	111,806	1,000	5,000	10,000	\$85,766,400	\$51,883,200	4.0	\$19,000	No Set Amount
Camden	5	57	3,466	\$30,842,500	\$8,888	15,071	762	2,389	3,470	\$30,842,470	\$18,544,235	2.0	\$7,600	No Set Amount
Cape May	6	159	13,171	\$357,257,911	\$27,124	16,065	299	1,097	1,976	\$53,596,095	\$32,157,657	1.0	\$4,400	No Set Amount
Gloucester	11	26	1,485	\$20,911,849	\$14,085	112,929	1,000	5,000	10,000	\$140,850,000	\$84,510,000	4.0	\$10,400	No Set Amount
Franklin	5	259	5,464	\$33,027,000	\$6,300	10,152	828	2,662	5,613	\$35,361,900	\$22,732,650	1.0	\$0,076	No Set Amount
Woolwich	3	74	4,071	\$45,600,000	\$19,800	5,139	415	2,070	4,134	\$81,853,200	\$49,111,920	5.0	\$0,280	Up to \$0.280
Hunterdon	7	89	7,816	\$72,011,230	\$16,000	177,835	1,500	7,500	15,000	\$240,000,000	\$144,000,000	3.0	\$7,080	\$2,290
Alexandria	4	13	2,448	\$22,000,000	\$9,000	3,640	250	750	1,500	\$13,500,000	\$8,100,000	4.0	\$0,314	No Set Amount
Delaware	2	15	1,272	\$22,800,000	\$18,000	23,707	500	2,500	5,000	\$90,000,000	\$54,000,000	6.0	\$0,537	\$0,537
East Amwell	1	14	1,364	\$15,000,000	\$11,000	13,523	136	682	1,364	\$15,004,000	\$9,002,400	4.0	\$0,315	\$0,350
Franklin	1	18	1,494	\$21,800,000	\$14,000	4,246	30	750	713	\$9,982,000	\$5,989,200	5.0	\$0,275	\$0,200
Holland	4	28	1,928	\$192,800,000	\$10,000	11,335	250	1,250	2,500	\$25,000,000	\$15,000,000	2.0	\$0,079	\$0,079
Kingwood	1	34	2,476	\$24,760,000	\$10,000	12,645	227	1,136	2,476	\$24,760,000	\$14,856,000	3.0	\$0,211	\$0,106
Raritan	4	17	1,284	\$27,400,000	\$22,635	6,111	100	300	600	\$13,580,700	\$8,148,420	2.0	\$0,646	No Set Amount
Readington	1	42	2,330	\$44,270,000	\$19,000	15,759	200	1,000	2,000	\$38,000,000	\$22,800,000	2.0	\$0,570	\$0,600
Tewksbury	3	3	409	\$9,700,000	\$23,667	4,557	409	300	1,000	\$23,667,000	\$14,212,200	5.0	\$0,425	No Set Amount
West Amwell	1	8	757	\$9,088,440	\$12,000	10,440	100	500	757	\$9,084,000	\$5,450,400	6.0	\$0,315	No Set Amount
Mercer	7	34	3,004	\$127,816,617	\$42,560	17,725	100	500	1,000	\$42,560,000	\$25,536,000	3.0	\$13,390	No Set Amount
Hopewell	1	3	603	\$18,100,000	\$30,000	10,582	133	403	67	\$2,010,000	\$1,206,000	2.0	\$0,900	No Set Amount
Middlesex	5	129	5,345	\$199,865,590	\$41,300	20,619	225	1,125	2,250	\$92,925,000	\$55,755,000	3.0	\$30,000	No Set Amount
Monmouth	5	144	14,220	\$453,809,000	\$31,918	59,146	1,200	5,000	8,000	\$255,343,440	\$153,206,064	1.5	\$17,900	No Set Amount
Colts Neck	1	6	293	\$14,000,000	\$43,278	19,023	97	300	600	\$25,966,800	\$15,580,080	2.5	\$0,354	No Set Amount
Holmdel	1	18	564	\$26,117,148	\$46,307	2,568	10	70	338	\$15,651,766	\$9,391,060	2.5	\$1,145	No Set Amount
Howell	3	12	633	\$10,900,000	\$25,127	24,234	127	243	82	\$2,060,376	\$1,236,226	2.0	\$1,396	\$0,700
Manalapan	1	36	1,560	\$31,100,000	\$19,936	9,223	156	780	1,560	\$31,100,160	\$18,660,096	2.0	\$1,200	No Set Amount
Marlboro	3	17	588	\$36,700,000	\$62,500	19,690	45	312	588	\$36,750,000	\$22,050,000	2.0	\$0,625	No Set Amount
Millstone	4	62	4,038	\$121,140,000	\$30,000	12,359	716	1,116	1,716	\$51,480,000	\$30,888,000	6.0	\$0,830	No Set Amount
Upper Freehold	1	207	10,390	\$207,800,000	\$20,000	30,388	550	1,000	1,500	\$30,000,000	\$18,000,000	4.0	\$0,328	No Set Amount
Morris	3	96	6,901	\$203,800,332	\$29,532	169,342	542	2,709	5,418	\$160,004,376	\$96,002,626	3.0	\$44,000	\$11,000
Ocean	6	160	3,359	\$78,000,730	\$24,962	21,136	387	901	3,402	\$84,919,193	\$50,951,516	1.2	\$10,000	No Set Amount
Passaic	1	5	116	\$4,645,600	\$40,000	6,415	100	500	1,000	\$40,000,000	\$24,000,000	1.0	\$5,200	\$0,780
Salem	3	173	6,949	\$50,847,700	\$7,317	80,125	2,600	13,000	26,000	\$190,248,760	\$118,524,380	2.0	\$0,900	\$0,900
Alloway	2	10	600	\$3,800,000	\$6,333	3,000	200	200	200	\$1,266,600	\$813,300	2.0	\$0,040	\$0,040
Pilesgrove	3	44	3,970	\$62,314,000	\$15,697	7,297	179	827	1,506	\$23,639,682	\$14,183,809	3.0	\$0,145	\$0,145
Pilesgrove	2	89	3,180	\$23,850,000	\$7,500	7,093	435	1,997	3,814	\$28,605,000	\$17,735,100	3.0	\$0,178	No Set Amount

Schedule A

2009 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY
As of 12/09/10

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost Per Acre	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	10-Year Total Cost	10-Year SADC Cost	Dedicated Tax \$0.01/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Upper Pittsgrove	4	20	1,000	\$7,500,000	\$7,500	1,000	200	500	1,000	\$7,500,000	\$4,650,000	2.0	\$0,070	\$0,070
Somerset	13	440	18,333	\$208,139,753	\$11,407	87,695	1,000	5,000	10,000	\$114,074,600	\$68,444,760	3.0	\$18,340	No Set Amount
Bedminster	1	72	5,427	\$182,810,000	\$30,000	10,111	500	3,000	5,500	\$165,000,000	\$99,000,000	2.0	\$0,522	No Set Amount
Bernards	1	29	702	\$55,300,000	\$75,000	3,798	165	265	270	\$20,250,000	\$12,150,000	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,500,000	\$55,000	1,873	154	12	571	\$31,405,000	\$18,843,000	5.0	\$1,500	No Set Amount
Franklin	2	25	1,100	\$42,600,000	\$31,254	17,422	130	650	1,100	\$34,378,960	\$20,627,376	5.0	\$4,000	No Set Amount
Hillsborough	3	36	1,686	\$33,761,000	\$20,000	3,860	100	500	1,000	\$20,000,000	\$12,000,000	4.1	\$1,480	No Set Amount
Montgomery	1	26	1,250	\$37,550,000	\$30,000	20,646	115	385	500	\$15,000,000	\$9,000,000	4.0	\$1,700	No Set Amount
Sussex	10	292	14,050	\$63,105,914	\$6,110	176,195	2,648	13,240	26,480	\$161,793,065	\$104,728,532	2.0	\$3,965	\$3,600
Warren	7	300	31,287	\$167,470,562	\$5,356	148,562	1,625	8,125	16,250	\$87,035,163	\$58,142,581	6.0	\$7,800	\$4,500
Franklin	4	104	6,142	\$50,207,180	\$8,980	9,455	250	1,204	2,299	\$20,645,020	\$12,391,610	6.5	\$0,270	No Set Amount
Freylinghuysen	7	82	3,511	\$22,821,500	\$6,500	9,354	100	500	1,000	\$6,500,000	\$4,150,000	2.0	\$0,055	\$0,055
Greenwich	1	8	1,189	\$23,800,000	\$20,000	3,453	120	480	589	\$11,780,000	\$7,068,000	4.0	\$0,230	No Set Amount
Harmony	3	152	5,454	\$43,632,000	\$8,000	12,409	100	500	1,000	\$8,000,000	\$4,900,000	5.0	\$0,247	\$0,247
Hope	3	92	1,800	\$29,682,000	\$6,000	5,384	200	900	1,800	\$10,800,000	\$7,020,000	5.0	\$0,045	No Set Amount
Knowlton	2	61	3,460	\$27,900,000	\$8,053	13,355	100	500	1,000	\$8,053,000	\$4,926,500	2.0	\$0,051	\$0,102
Potlango	4	105	3,313	\$33,100,000	\$10,000	5,306	1,015	748	192	\$1,920,000	\$1,152,000	5.0	\$0,155	\$0,155
County Totals (15)	93	2,311	152,286	\$2,159,525,288		1,220,686	14,988	71,066	140,246	\$1,779,958,562	\$1,086,386,551		\$200	
Municipal Totals (37)	89	1,864	88,487	\$1,635,230,268		384,117	9,342	31,292	67,449	\$989,575,164	\$597,025,347		\$24,539	

Note: In many cases County and Municipal project areas overlap. Also, identified farms may appear on both County and Municipal target farm lists.

MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Applications
(2009 Round)
December 2010

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue	Annual Tax for Farm Preservation
Holmdel	Monmouth	Howell Project Area	18	564	\$26,117,148	\$46,307	10	70	338	2.5	\$1,144,913	No Set Amount
		Total	18	564	\$26,117,148	\$46,307	10	70	338	2.5	\$1,144,913	No Set Amount
		Upper Freehold	Monmouth	Upper Freehold Project Area	207	10,390	\$207,800,000	\$20,000	550	1,000	1,500	4.0
Total			207	10,390	\$207,800,000	\$20,000	550	1,000	1,500	4.0	\$328,000	No Set Amount
December 2010 MUN. PI/G (2009 Round) FINAL APPROVAL TOTALS												
2	1	2	225	10,954	\$233,917,148		560	1,070	1,838			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2011R12(9)

FINAL APPROVAL

of

**PEAPACK & GLADSTONE BOROUGH, SOMERSET COUNTY
PLANNING INCENTIVE GRANT APPLICATION INCLUDING THE COMPREHENSIVE
FARMLAND PRESERVATION PLAN AND PROJECT AREA SUMMARIES**

2010 FUNDING ROUND

December 9, 2010

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide a grant to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a municipality shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area ("ADA") authorized pursuant to the Agriculture Retention and Development Act, P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish an agricultural advisory committee composed of at least three, but not more than five, residents with a majority of the members actively engaged in farming and owning a portion of the land they farm;
3. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, such as, but not limited to, repeated annual appropriations or repeated issuance of bonded indebtedness, which the SADC deems to be, in effect, a dedicated source of funding; and
4. Prepare a farmland preservation plan element pursuant to paragraph (13) of section 19 of P.L. 1975, c.291 (C.40:55D-28) in consultation with the agricultural advisory committee; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17A (N.J.A.C. 2:76-17A) to implement the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a municipal farmland preservation planning incentive grant program; and

WHEREAS, a municipality applying for a grant to the SADC shall submit a copy of the municipal comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17A.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.4, the SADC specified that a municipal comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. The adopted farmland preservation plan element of the municipal master plan;
2. A map and description of the municipality's agricultural resource base including, at a minimum, the proposed farmland preservation project areas;
3. A description of the land use planning context for the municipality's farmland preservation initiatives including identification and detailed map of the county's adopted Agricultural Development Area (ADA) within the municipality, consistency of the municipality's farmland preservation program with county and other farmland preservation program initiatives and consistency with municipal, regional and State land use planning and conservation efforts;
4. A description of the municipality's past and future farmland preservation program activities, including program goals and objectives, including a summary of available municipal funding and approved funding policies in relation to the municipality's one-, five- and ten-year preservation projections;
5. A discussion of the actions the municipality has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
6. Other farmland preservation techniques being utilized or considered by the municipality;
7. A description of the policies, guidelines or standards used by the municipality in conducting its farmland preservation efforts, including any minimum eligibility criteria or standards used by the municipality for solicitation and approval of farmland preservation program applications in relation to SADC minimum eligibility criteria as described at N.J.A.C. 2:76-6.20, adopted ranking criteria in relation to SADC ranking factors at N.J.A.C. 2:76-6.16, and any other policies, guidelines or standards that affect application evaluation or selection;
8. A description of municipal staff and/or consultants used to facilitate the preservation of farms; and
9. Any other information as deemed appropriate by the municipality; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.5, the SADC required the municipality to prepare a project area summary containing the following information for each project area:

1. An inventory showing the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;
4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the municipality's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

WHEREAS, on May 24, 2007, the SADC adopted *Guidelines for Developing Municipal Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17A and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, the *Guidelines* emphasize that these Municipal Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the municipal Agricultural Advisory Committee, municipal Planning Board, CADB, county Planning Board and the county Board of Agriculture, and where appropriate, in conjunction with surrounding municipalities and the County Comprehensive Farmland Preservation Plan, with at least two public meetings including a required public hearing prior to Planning Board adoption as an element of the municipal master plan; and

WHEREAS, SADC staff have worked in partnership with municipal representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(a), the SADC received 37 municipal planning incentive grant applications by the December 17, 2007 deadline (since December 15, 2007 fell on a Saturday), consisting of a copy of the municipality's draft comprehensive farmland preservation plan, annual application and all applicable project area summaries; and

WHEREAS, the 2009 Municipal Planning Incentive Grant round was the initial year of the program administered under the SADC's amended rules, effective July 2, 2007; and

WHEREAS, in addition to the 37 initial municipal planning incentive grant applications the SADC received 5 municipal planning incentive grant applications for the 2010 Municipal Planning Incentive Grant round, pursuant to N.J.A.C. 2:76-17A.6(a), by the December 15, 2008 deadline; and

WHEREAS, in total, these 42 municipal planning incentive grant applications identified 101 project areas in 8 counties and targeted 2091 farms and 102,102 acres at an estimated total cost of \$1,550,000,000, with a ten-year preservation goal of 70,097 acres as summarized in the attached Schedule A; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.6(b)1 and N.J.A.C. 2:76-17A.6(b)2, in order to improve municipal and county farmland preservation coordination, the municipality forwarded its application to the county for review and provided evidence of county review and comment and, if appropriate, the level of funding the county is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, SADC staff reviewed and evaluated the municipalities' applications to determine whether all the components of the comprehensive farmland preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry; and

WHEREAS, on May 28, 2009, the SADC granted conditional preliminary approval to all 5 municipal planning incentive grant applications received for the 2010 Municipal Planning Incentive Grant funding round; and

WHEREAS, the conditions of preliminary approval for Peapack & Gladstone Borough, Somerset County were as follows:

1. SADC determination that each designated project area is complete and technically accurate.
2. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the municipal planning board after a properly noticed public hearing.
3. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan; and

WHEREAS, SADC staff have since determined that Peapack & Gladstone Borough has satisfied all requirements of the conditional preliminary approval; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Peapack & Gladstone Borough Planning Incentive Grant application submitted under the FY10 program funding round as summarized in the attached Schedule B:

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17A.8(a), and SADC Resolution #FY09R5(22); and

BE IT FURTHER RESOLVED, that the SADC will monitor the municipality's funding plan pursuant to N.J.A.C. 2:76-17A.17 and adjust the eligibility of funds based on the municipality's progress in implementing the proposed funding plan. Each Planning Incentive Grant municipality should expend its grant funds within three years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within three years are subject to reappropriation and may no longer be available to the municipality; and

BE IT FURTHER RESOLVED, that the SADC will continue to assist municipalities with planning for agricultural retention, the promotion of natural resource conservation efforts, county and municipal coordination, and agricultural economic development and in strengthening of Right to Farm protections; and

BE IT FURTHER RESOLVED, that the SADC's approval is conditioned upon the Governor's review period pursuant to N.J.S.A 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

2010 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0./\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Bergen	8	40	525	\$67,227	10,887	30	150	300	1.0	\$19,000	No Set Amount
Burlington	4	204	22,408	\$100,000	111,806	1,000	5,000	10,000	4.0	\$20,000	No Set Amount
Camden	5	57	3,469	\$30,843	15,071	762	2,369	3,470	2.0	\$7,600	No Set Amount
Cape May	6	198	13,172	\$357,258	16,065	299	1,097	1,976	1.0	\$4,400	No Set Amount
Cumberland	15	457	17,843	\$106,647	56,138	1,050	5,250	10,500	1.0	\$0,906	No Set Amount
Upper Deerfield	1	57	3,958	\$17,838	9,233	396	1,979	3,958	0.0	\$0,000	\$0,000
Gloucester	11	32	1,736	\$24,445	112,929	1,000	5,000	10,000	4.0	\$11,000	No Set Amount
Elk	2	30	1,005	\$11,100	3,520	75	377	754	1.0	\$0,038	\$0,038
Franklin	5	259	5,464	\$33,027	10,152	828	2,662	5,613	1.0	\$0,076	No Set Amount
Woolwich	3	74	4,071	\$81,846	5,139	415	2,070	4,134	5.0	\$0,280	Up to \$0,280
Hunterdon	7	130	11,275	\$106,628	177,990	1,500	7,500	15,000	3.0	\$7,060	\$2,293
Alexandria	4	13	2,448	\$22,000	3,640	250	750	1,500	4.0	\$0,314	No Set Amount
Delaware	2	15	1,272	\$22,800	23,707	500	2,500	5,000	6.0	\$0,537	\$0,537
East Amwell	1	14	1,364	\$15,000	13,523	136	682	1,364	4.0	\$0,315	\$0,350
Franklin	1	18	1,494	\$21,800	4,246	30	750	1,494	5.0	\$0,275	\$0,200
Holland	4	28	1,928	\$19,280	11,335	250	1,250	2,500	2.0	\$0,079	\$0,079
Kingwood	1	34	2,476	\$24,760	12,645	227	1,238	2,476	3.0	\$0,211	\$0,106
Raritan	4	17	1,284	\$27,363	6,111	100	300	600	2.0	\$0,646	No Set Amount
Readington	1	42	2,330	\$44,270	15,759	200	1,000	2,000	2.0	\$0,570	\$0,600
Tewksbury	3	3	409	\$9,700	4,557	100	300	1,000	5.0	\$0,425	No Set Amount
Union	3	21	701	\$8,199	4,189	70	325	600	2.0	\$0,137	No Set Amount
West Amwell	1	8	757	\$9,100	10,440	100	500	757	6.0	\$0,315	No Set Amount
Mercer	7	35	3,026	\$128,787	17,725	100	500	1,000	3.0	\$13,300	No Set Amount
Hopewell	1	3	603	\$18,100	10,582	133	536	603	2.0	\$0,900	No Set Amount
Middlesex	5	131	5,371	\$201,195	20,573	225	1,125	2,250	3.0	\$31,000	No Set Amount
Momouth	5	133	13,236	\$438,957	59,146	1,200	5,000	8,000	1.5	\$17,900	No Set Amount
Colls Neck	1	6	293	\$14,000	19,023	97	300	600	2.5	\$0,354	No Set Amount
Holmdel	1	10	337	\$15,600	2,568	10	70	338	2.5	\$1,160	No Set Amount
Howell	3	12	633	\$10,900	24,234	127	370	453	2.0	\$1,396	\$0,700
Manalapan	1	36	1,560	\$31,100	9,223	156	780	1,560	2.0	\$1,200	No Set Amount
Marlboro	3	17	588	\$36,700	19,690	45	312	588	2.0	\$0,625	No Set Amount
Millsboro	4	62	4,038	\$121,100	12,359	716	1,116	1,716	6.0	\$0,830	No Set Amount
Upper Freehold	1	207	10,390	\$207,800	27,358	550	1,550	3,050	4.0	\$0,328	No Set Amount

2010 COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
APPLICATION SUMMARY

County / Municipality	# of Project Areas	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost in Millions	Project Area Acreage	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0/\$100	Annual Tax Revenue in Millions	Annual Tax for Farmland Preservation in Millions
Morris	3	96	6,901	\$203,800	169,342	542	2,709	5,418	3.0	\$44,000	\$11,000
Ocean	7	155	3,529	\$88,089	21,975	387	901	3,402	1.2	\$10,000	No Set Amount
Passaic	1	5	116	\$4,646	6,415	100	500	1,000	1.0	\$5,200	\$0,780
Salem	3	173	6,949	\$50,848	80,125	2,600	13,000	26,000	2.0	\$0,900	\$0,900
Alloway	2	10	600	\$3,800	3,000	200	400	600	2.0	\$0,040	\$0,040
Pilesgrove	3	44	3,970	\$62,314	7,297	179	827	1,506	3.0	\$0,145	\$0,145
Pilesgrove	2	89	3,180	\$23,850	7,093	435	1,997	3,814	3.0	\$0,178	No Set Amount
Upper Pilesgrove	4	20	1,000	\$7,500	1,000	200	500	1,000	2.0	\$0,070	\$0,070
Somerset	12	419	15,780	\$191,763	87,695	1,000	5,000	10,000	3.0	\$18,340	No Set Amount
Bedminster	1	72	5,427	\$162,800	10,111	500	3,000	5,500	2.0	\$0,522	No Set Amount
Bernards	1	29	702	\$55,300	3,798	165	265	270	4.0	\$3,030	No Set Amount
Branchburg	1	23	737	\$40,535	1,873	154	266	737	5.0	\$1,500	No Set Amount
Franklin	2	25	1,100	\$34,379	17,422	130	650	1,100	5.0	\$4,000	No Set Amount
Hillsborough	3	36	1,686	\$33,761	3,860	100	500	1,000	4.1	\$1,478	\$0,300
Montgomery	1	26	1,250	\$37,550	20,646	115	385	500	4.0	\$1,700	No Set Amount
Peapack & Gladstone	2	7	161	\$4,402	1,932	20	80	160	3.0	\$0,248	\$0,124
Sussex	10	1013	39,240	\$231,146	176,195	2,648	13,240	26,480	2.0	\$3,965	\$3,600
Warren	7	295	27,887	\$144,123	148,582	1,625	8,125	16,250	6.0	\$7,800	\$4,500
Franklin	4	104	6,142	\$50,210	9,455	250	1,204	2,299	6.5	\$0,270	No Set Amount
Freylinghuysen	7	82	3,511	\$22,822	9,483	100	500	1,000	2.0	\$0,056	\$0,055
Greenwich	1	8	1,189	\$23,800	3,453	120	480	589	4.0	\$0,230	No Set Amount
Harmony	3	152	5,454	\$43,682	12,409	100	500	1,000	5.0	\$0,247	\$0,247
Hope	3	92	4,947	\$29,682	5,384	200	900	1,800	5.0	\$0,045	No Set Amount
Knowlton	2	61	3,460	\$27,900	13,355	100	500	1,000	2.0	\$0,051	\$0,102
Pohatcong	4	105	3,313	\$33,100	5,306	1,015	1,763	1,955	5.0	\$0,155	\$0,155
White	4	112	4,661	\$23,416	13,604	150	750	1,400	2.0	\$0,126	\$0,126
County Totals (17)	116	3,573	192,463	\$2,476,40	1,288,659	16,068	76,466	151,046		\$222.37	
Municipal Totals (42)	101	2,083	101,893	\$1,544,18	413,714	9,744	37,184	69,887		\$25.10	

Note: In many cases County and Municipal project areas overlap. Also, identified farms may appear on both County and Municipal target farm lists.

Date: 12/03/10

Schedule B

MUNICIPAL PLANNING INCENTIVE GRANT
Final Approval Application
 (2010 Round)
 December 2010

Municipality	County	Project Area	# of Targeted Farms	Targeted Farms Acreage	Estimated Total Cost	Estimated Cost per Acre	1-Year Acreage Goal	5-Year Acreage Goal	10-Year Acreage Goal	Dedicated Tax \$0.0 /\$100	Annual Tax Revenue	Annual Tax for Farm Preservation
Peapack/Gladstone	Somerset	Essex Hunt Club	2	57	\$1,558,665	\$27,345						
		Raritan Valley	5	104	\$2,843,880	\$27,345						
		Total	7	161	\$4,402,545		20	80	160	3.0	\$247,959	\$123,980
December 2010 MUN. PIG (2010 Round) FINAL APPROVAL TOTALS												
1	1	2	7	161	4,402,545		20	80	160			

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R12(10)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**PITTSBGROVE TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Norman J. Lenchitz ("Landowner")
Pittsgrove Township, Salem County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 17-0090-PG**

DECEMBER 9, 2010

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Pittsgrove Township, which included the Lenchitz Farm, identified as Block 2003, Lot 16, Pittsgrove Township, Salem County, totaling approximately 18 acres ("Property") and as identified on the attached map Schedule A; and

WHEREAS, the Lenchitz Farm has one existing single-family residence on the Property; and

WHEREAS, the Landowner has read and signed an acknowledgement stating they fully understand the benefits of an exception area, however, have declined that option; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, on May 28, 2009 the SADC granted final approval of Pittsgrove Township's PIG application; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on February 2, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, to date \$750,000 of FY09 funding has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area and an additional \$500,000 of FY11 funding is pending appropriation; and

WHEREAS, to date Pittsgrove Township has not expended any of its SADC grant funds; and

WHEREAS, Pittsgrove Township has one other project pending against this balance pending Green Light Approval (Schmidt) and three others have been granted SADC Final Approval (Sadeghian, Camp and Sara/Goren) for a potential grant need of approximately \$587,208 leaving a balance of approximately \$662,792 available for the Lenchitz Farm and future applications, of which \$500,000 is pending appropriation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, the SADC certified a value of \$7,800 / acre based on the "current value" date of March 2010 for the development easement for the Property on May 27, 2010; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the Pittsgrove Township Committee approved the application and its funding commitment for 18.57% of the easement purchase on the Lenchitz Farm on July 28, 2010, and the Salem County Agriculture Development Board approved the application on October 27, 2010 and secured a commitment of funding for 18.57% of the easement purchase from the Salem County Board of Chosen Freeholders for the required local match on November 17, 2010; and

WHEREAS, the estimated cost share break down is as follows:

	<u>Cost Share</u>
SADC	\$79,200
Pittsgrove Twp.	\$23,400
Salem County	<u>\$23,400</u>
	\$126,000; and

WHEREAS, the County will pay its cost share directly to the landowner by way of an installment purchase agreement ("IPA") which is subject to the review and approval of the SADC Executive Director; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Pittsgrove Township for the purchase of a development easement on the Lenchitz Farm by Salem County, comprising approximately 18 acres, at a State cost share of \$4,400 per acre for an estimated total of \$79,200 (62.86% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and

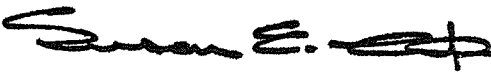
BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its

grant directly to Salem County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

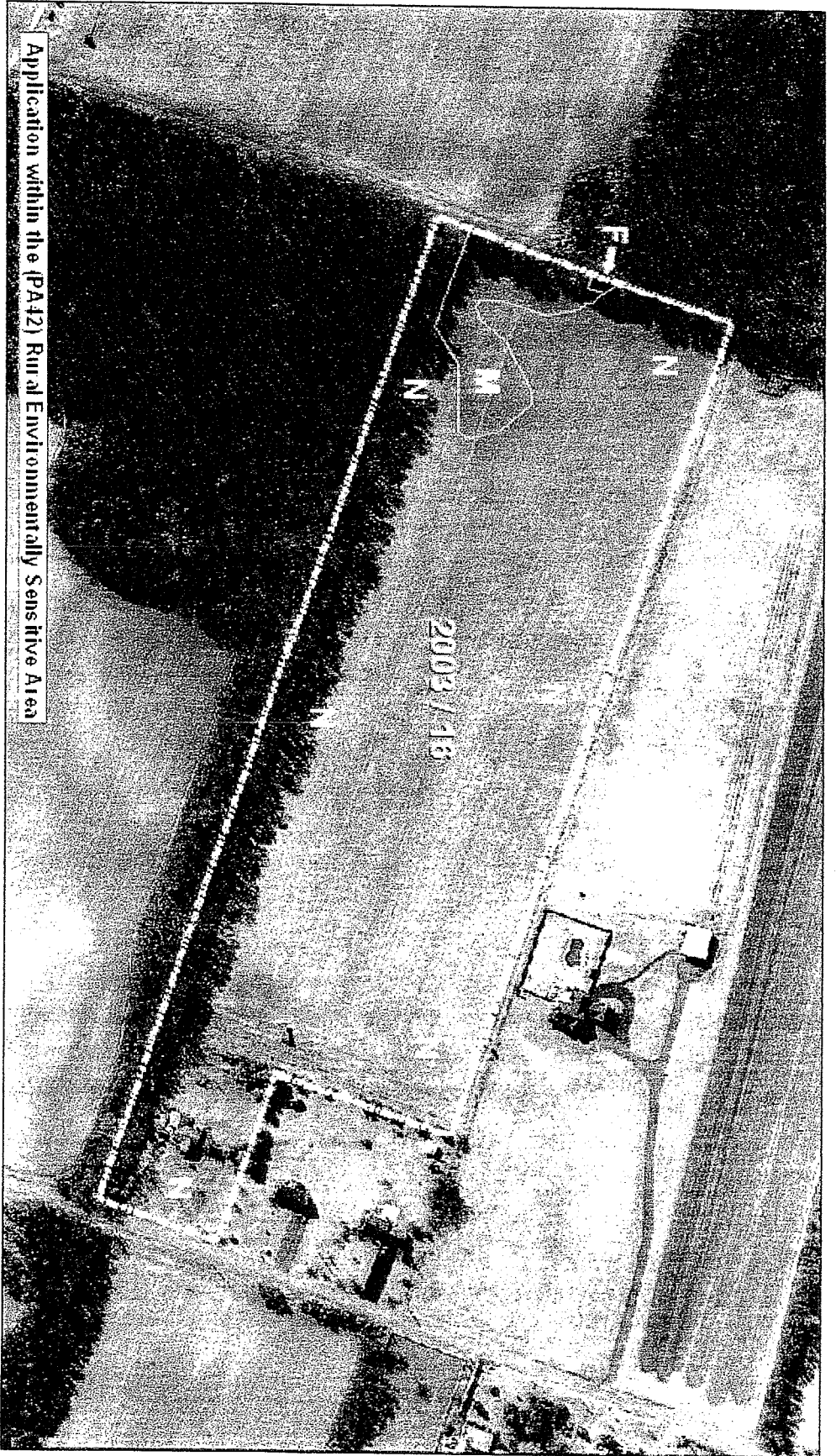
12/9/10
Date


Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Wetlands



FARM AND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Lenchitz, Norman
Block 2003 Lot 16 (17.86 ac)
Gross Total = 17.86 ac
Pittsgrove Twp., Salem County



State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Lenchitz, Norman J.
17- 0090-PG
FY 2009 PIG EP - Municipal 2007 Rule
18 Acres

Block 2003	Lot 16	Pittsgrove Twp.	Salem County
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SOILS:

Prime	71% *	.15	=	10.65
Statewide	29% *	.1	=	2.90

SOIL SCORE: 13.55

TILLABLE SOILS:

Cropland Harvested	90% *	.15	=	13.50
Other	5% *	0	=	.00
Woodlands	5% *	0	=	.00

TILLABLE SOILS SCORE: 13.50

FARM USE: Field Crop Except Cash Grain 15 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use:

non ag uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:

Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R12(11)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**UPPER FREEHOLD TOWNSHIP
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
R.T.R New Home Building Contractors, Inc. (Calukovic)
Upper Freehold Township, Monmouth County**

**N.J.A.C. 2:76-17A. et seq.
SADC ID# 13-0413-PG**

DECEMBER 9, 2010

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Upper Freehold Township, which included the R.T.R New Home Building Contractors, Inc. ("R.T.R. Builders") Farm, identified as Block 55, Lot 20.03, Upper Freehold Township, Monmouth County, totaling approximately 49 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the R.T.R. Builders Farm includes one existing single-family residence; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.7, on December 9, 2010 the SADC granted final approval of Upper Freehold Township's PIG application; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on May 13, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, to date \$750,000.00 has been appropriated for the purchase of development easements on the eligible list of farms identified in the Township's approved PIG Project Area; and

WHEREAS, to date Upper Freehold Township has not expended any of its SADC grant funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on December 10, 2009 the SADC certified a value of \$32,000 / acre based in zoning and environmental regulations in place as of 1/1/04 and \$22,000 / acre based on the "current value" date of May 1, 2009 for the development easement; and

WHEREAS, based on the estimated grant need for the property there is a \$190,800 shortfall in the SADC grant; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.13, the Upper Freehold Township Committee approved the application and its funding commitment for 16% of the easement purchase (estimated \$250,880) on the R.T.R. Builders Farm on January 7, 2010, and the Monmouth County Agriculture Development Board approved the application on February 3, 2010 and secured a commitment of funding for 36% of the easement purchase including the shortfall in SADC funding (estimated \$567,120) from the Monmouth County Board of Chosen Freeholders for the required local match on January 14, 2010; and

WHEREAS, the estimated cost share break down is as follows:

	<u>Cost Share</u>	
SADC	\$750,000.00	
Upper Freehold Twp.	\$250,880.00	
Monmouth County	<u>\$567,120.00</u>	
	\$1,568,000.00	; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.15, the County shall hold the development easement since the County is providing funding for the preservation of the farm; and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11; and

WHEREAS, pursuant to N.J.A.C. 2:76-6.11, the SADC shall provide a cost share grant to the Township for up to 50% of the eligible ancillary costs for the purchase of a development easement which will be deducted from its PIG appropriation and subject to the availability of funds;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Upper Freehold Township for the purchase of a development easement on the R.T.R. Builders Farm by Monmouth County, comprising approximately 49 acres, at a State cost share of the entire Township's Planning Incentive Grant appropriation, which is \$750,000.00 (an estimated 48% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule B; and


BE IT FURTHER RESOLVED, that the SADC's cost share grant to the Township for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, if the Township and County agree to the SADC providing its grant directly to Monmouth County, the SADC shall enter into a Grant Agreement with the Township and County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC shall notify the Township and the County of its decision; and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

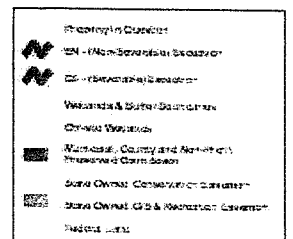
Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ratko Calukovic/RTR New Home Building Contractors, Inc.
Block 55 Lot 20.03 (48.48 ac)
Gross Total - 48.48 ac
Upper Freehold Twp., Monmouth County



Wetlands Legend:
 F - Freshwater Wetlands
 L - Lentic Wetlands
 R - Riverine Wetlands
 T - Tidal Wetlands
 W - Wetlands
 S - 300 Feet Buffer
 W - 300 Feet

Source:
 NJDEP Wetlands Inventory; Data
 Green Acres; Conservation Easement Data
 NJ 2002 Interim Order Permit Map

Copyright 2006

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcels/polylines in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be, and are intended to be, relied upon in making legal rights of location and location of the ground. Vertical and/or horizontal controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Calukovic, Ratko (RTR New Home Building Contractors, Inc.)
13- 0413-PG
FY 2009 PIG EP - Municipal 2007 Rule
49 Acres

Block 55	Lot 20.03	Upper Freehold Twp.	Monmouth County
SOILS:			
		Prime	99% * .15 = 14.85
		Statewide	1% * .1 = .10
			SOIL SCORE: 14.95
TILLABLE SOILS:			
		Cropland Harvested	98% * .15 = 14.70
		Other	2% * 0 = .00
			TILLABLE SOILS SCORE: 14.70
FARM USE:			
	Field Crop Except Cash Grain	acres	cover crop rye in winter
	Soybeans-Cash Grain	48 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R12(12)

**FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO
CUMBERLAND COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Thomas S. Newton ("Owner")
Greenwich Township, Cumberland County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 06-0077-PG**

DECEMBER 9, 2010

- WHEREAS, on December 15, 2008, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted preliminary approval of Cumberland County's PIG plan on May 28, 2009 and final approval of the plan on December 10, 2009; and
- WHEREAS, on July 22, 2009 the SADC received an application for the sale of a development easement from Cumberland County for the Newton Farm identified as Block 16, Lot 5 & 10.01 and Block 18, Lot 6.02, Greenwich Township, Cumberland County, totaling approximately 45 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and
- WHEREAS, the Property is located in Cumberland County's Greenwich Project Area; and
- WHEREAS, the Property includes one, existing single-family residence; and
- WHEREAS, the Property has a rank score of 62.85 which exceeds 42, which is 70% of the County's average quality score as determined by the SADC on July 24, 2008; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on October 21, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and
- WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on November 5, 2009 the SADC certified a development easement value of \$4,500 per acre based on zoning and environmental regulations in place as of October 2008; and
- WHEREAS, pursuant to N.J.A.C. 2:76-17.12, Cumberland County accepted the Owner's offer of \$4,500 per acre for the development easement for the Property; and
- WHEREAS, on October 12, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and
- WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 46.659 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, on July 22, 2010 the SADC established FY11 funding allocations to provide eligible counties with a base grant of \$1,500,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, SADC FY11 funding (2009 Bond Referendum Funds) for use by Cumberland County was approved by the SADC on July 22, 2010 and is subject to appropriation by the Legislature and approval by the Governor; and

WHEREAS, the Cumberland County Agriculture Development Board is requesting \$144,642.90 from its base grant, leaving a cumulative balance of \$740,125.20 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2011 grant of \$4,500,000, subject to the availability of funds for additional applications; and

WHEREAS, Cumberland County, in participation with the New Jersey Conservation Foundation (NJCF), has applied to utilize USDA, NRCS, FY07 Farm and Ranch Lands Protection Program (FRPP) grant funding in the amount of \$2,300 per acre to further leverage available County funding for farmland preservation; and

WHEREAS, the Property has approximately 50% Prime soil and 5% soils of Statewide Importance; and

WHEREAS, the Owner agreed to the additional restrictions associated with the use of FRPP grant funding, including a 1 acre impervious cover limit available for the construction of agricultural infrastructure on the Property required for all farms under 50 acres utilizing FY07 FRPP funding; and

WHEREAS, it has been determined that the Property and the Owner qualify for FRPP grant funds; and

WHEREAS, the County intends to use the FRPP grant to cover the local cost share (\$1,400 per acre), allocating any remaining FRPP funding towards the SADC PIG grant (an estimated \$800 per acre); and

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$144,642.90	(\$3,100/acre)
Cumberland County	\$ 65,322.60	(\$1,400/acre)
Total Easement Purchase	\$209,965.50	

Cost share breakdown after ^{+/-} \$107,315.70 FRPP Grant is approved and applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$144,642.90 (\$3,100/acre)	\$41,993.10	\$102,649.80 (\$2,200/acre)
Cumberland County	\$ 65,322.60 (\$1,400/acre)	\$65,322.60	\$0 (\$0/acre)
FRPP Grant			<u>\$107,315.70</u> (\$2,300/acre)
	\$209,965.50	\$107,315.70	\$209,965.50 \$4,500/acre

WHEREAS, subject to NRCS approval of FRPP funding, the County and NJCF are required to coordinate closely with SADC staff regarding needed appraisal updates and FRPP required appraisal reviews and submissions to meet FRPP closing deadlines; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 11, 2010 the Stow Creek Township Committee approved the application without any cost share funding; and

WHEREAS, the Cumberland County Agriculture Development Board approved the application on February 24, 2010 and secured a commitment of funding for \$1,400 per acre (30% of the easement purchase) from the Cumberland County Board of Chosen Freeholders for the required local match on April 22, 2010 should the anticipated FRPP grant not cover its entire cost share on the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Newton Farm, comprising approximately 46.659 acres, at a State cost share of \$3,100 per acre (68.89% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% acreage buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$144,642.90; and

BE IT FURTHER RESOLVED, that the SADC grand funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and the availability of those funds; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$800 per acre) to reduce the SADC's grant taken from the County's base grant for the Newton Farm; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Wetlands

Schedule A



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Thomas S. Newton
Block 16 Lots 5 (19.2 ac) & 10.01 (18.0 ac)
Block 18 Lot 6.02 (8.4 ac)
Gross Total = 45.5 ac
Greenwich Twp., Cumberland County

250 125 0 250 500 Feet

TIDELANDS DISCLAIMER:
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned QOS & Recreation Easement
	Federal Land
	Tidelands Boundaries

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

August 13, 2009

Cumberland County

New Jersey Farmland Preservation Program
Preservation Program
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

fY2011 funding (09 bond fund)

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	SADC Grant Per Acre	Easement Consideration	Total		Cost Share	1,500,000			
							Federal Grant	SADC Federal Grant		Encumbered at Final	PV Encumbered	Expend	Balance
Shimp, Newton B. III	Slow Creek	102	105,060	4,500.00	3,100.00	472,770.00	168,096.00	21,012.00	325,686.00	325,686.00			1,174,314.00
Kaeewich, Norman & Lynette	Slow Creek	17.37	17,891	8,000.00	4,900.00	143,128.00	70,669.45	15,207.35	87,665.90	87,665.90			1,086,648.10
Jones, Clifton & Dorothy	Greenwich	70	72,100	4,000.00	2,800.00	288,400.00	108,150.00	21,630.00	201,880.00	201,880.00			884,768.10
Newton, Thomas	Greenwich	45.3	46,659	4,500.00	3,100.00	209,965.50	107,315.70	41,993.10	144,642.90	144,642.90			740,125.20
Fox, Frank A.	Upper Deerfield	58.9	60,667	5,100.00	3,450.00				209,301.15				
Cruzan, Daniel & Diane	Hopewell	92.8	95,584	6,300.00	4,050.00				387,115.20				
Minch, Michael et al	Hopewell	11	11,330	12,100.00	7,260.00				82,255.80				
DeiVecchio, Brian & Susan	Lawrence	45.14	46,494	5,100.00	3,450.00				160,404.99				
SF Systems Company/Sheppard	Lawrence	43.2	44,996	4,400.00	3,040.00				135,267.84				
Dickinson, Everett et al	Shiloh Boro	40	41,200	6,300.00	4,050.00				151,368.80				
Coll #1, Kevin A.	Slow Creek	44	45,320	4,900.00	3,340.00				156,354.00				
Coll #2, Kevin A.	Slow Creek	44	45,320	5,100.00	3,450.00				184,299.96				
Garton #2, Jeffrey & Deborah	Upper Deerfield	38.48	39,634	7,500.00	4,650.00				495,687.50				
Adamucci #1, Carmen Sr.	Hopewell	125	128,750	5,900.00	3,850.00								
									2,888,790.04				
Cumberland Co/Riggins	Slow Creek	76	78,28				0.00		0.00				
Adamucci #2, Carmen	Hopewell	48	49,440				0.00		0.00				
Cumberland Co/Sheppard Anne	Greenwich	71	73,130						0.00				
Co. County/Kates, Thomas	Lawrence	25	25,750				0.00		0.00				
Cum Co/Koneyham	Upper Deerfield	23	23,690				0.00		0.00				
Cum. Co/Sheppard Mark K.	Slow Creek	71	73,130						0.00				
Keung Lam Realty	Lawrence	146	150,380				0.00		0.00				
Paladino, Vincent	Deerfield Twp.	30	30,900				0.00		0.00				
Burton, Carolyn & Ewing W.	Slow Creek	70	72,100						0.00				
Mazza, Frank & Lois	Slow Creek	120	123,600				0.00		0.00				
Fox, Grace Elizabeth	Upper Deerfield	24	24,720				0.00		0.00				
Overstreet, Chari	Upper Deerfield	82	84,460						0.00				
Ruske, Roger, Margaret & Chris	Fairfield Twp.	205	211,150						0.00				
Flo, Nicholas, Sarilee, Jr.	Upper Deerfield	55	56,650						0.00				
Baitinger, Frank	Hopewell	70	72,100						0.00				
withdrawn													
Piley, Joseph & Judith	Greenwich	70	72,100						0.00				
Cum. Co./Strosnider	Hopewell	44	45,320										
Total Pending	28		1949,986						0.00				
Total Encumbered										759,874.80			
Closed/Expended											0.00		
Total													

Schedule B

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Newton Farm
06- 0077-PG
FY 2010 County PIG Program
45 Acres

Block 16	Lot 5	Greenwich Twp.	Cumberland County
Block 16	Lot 10.01	Greenwich Twp.	Cumberland County
Block 18	Lot 6.02	Greenwich Twp.	Cumberland County

SOILS:	Other	42% * 0	=	.00
	Prime	50% * .15	=	7.50
	Statewide	5% * .1	=	.50
	Unique zero	3% * 0	=	.00

SOIL SCORE: 8.00

TILLABLE SOILS:	Cropland Harvested	53% * .15	=	7.95
	Wetlands	47% * 0	=	.00

TILLABLE SOILS SCORE: 7.95

FARM USE:	Ornament Nursery Products	24 acres
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In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions:
 1. 1 acre (2%) due to size limit pursuant to Federal Farm and Ranch Land Protection Program
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R12(13)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

CUMBERLAND COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

**On the Property of
Clifton & Dorothy Jones ("Owner")
Greenwich Township, Cumberland County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 06-0091-PG**

DECEMBER 9, 2010

WHEREAS, on December 15, 2008, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted preliminary approval of Cumberland County's PIG plan on May 28, 2009 and final approval of the plan on December 10, 2009; and

WHEREAS, on July 22, 2009 the SADC received an application for the sale of a development easement from Cumberland County for the Jones Farm identified as Block 18, Lot 28, Greenwich Township, Cumberland County, totaling approximately 70 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Property is located in Cumberland County's Greenwich Project Area; and

WHEREAS, the Property includes one, 2-acre severable exception for the existing historic single-family residence (national register); and

WHEREAS, the Property has no residential opportunity on the land to be preserved; and

WHEREAS, the Property has a rank score of 72.10 which exceeds 42, which is 70% of the County's average quality score as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on March 2, 2010 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 28, 2010 the SADC certified a development easement value of \$4,000 per acre based on zoning and environmental regulations in place as of October 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, Cumberland County accepted the Owner's offer of \$4,000 per acre for the development easement for the Property; and

WHEREAS, on October 28, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 72.10 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, on July 22, 2010 the SADC established FY11 funding allocations to provide eligible counties with a base grant of \$1,500,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, SADC FY11 funding (2009 Bond Referendum Funds) for use by Cumberland County was approved by the SADC on July 22, 2010 and is subject to appropriation by the Legislature and approval by the Governor; and

WHEREAS, the Cumberland County Agriculture Development Board is requesting \$201,880 from its base grant, leaving a cumulative balance of \$884,768.10 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2011 grant of \$4,500,000, subject to the availability of funds for additional applications; and

WHEREAS, Cumberland County, in participation with the New Jersey Conservation Foundation (NJCF), has applied to utilize USDA, NRCS, FY07 Farm and Ranch Lands Protection Program (FRPP) grant funding in the amount of \$1,500 per acre to further leverage available County funding for farmland preservation; and

WHEREAS, the Property has approximately 81% Prime soils; and

WHEREAS, the Owner agreed to the additional restrictions associated with the use of FRPP grant funding, including a 4% impervious cover restriction equal to approximately 2.8 acres of land available for the construction of agricultural infrastructure on the Property; and

WHEREAS, it has been determined that the Property and the Owner qualify for FRPP grant funds; and

WHEREAS, the County intends to use the FRPP grant to cover the local cost share (\$1,200 per acre), allocating any remaining FRPP funding towards the SADC PIG grant (an estimated \$300 per acre); and

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$201,880	(\$2,800/acre)
Cumberland County	<u>\$ 86,520</u>	(\$1,200/acre)
Total Easement Purchase	\$288,400	

Cost share breakdown after ^{+/-} \$108,150 FRPP Grant is approved and applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$201,880 (\$2,800/acre)	\$21,630	\$180,250 (\$2,500/acre)
Cumberland County	\$ 86,520 (\$1,200/acre)	\$86,520	\$0 (\$0/acre)
FRPP Grant			<u>\$108,150</u> (\$1,500/acre)
	\$288,400	\$108,150	\$288,400 \$4,000/acre

WHEREAS, subject to NRCS approval of FRPP funding, the County and NJCF are required to coordinate closely with SADC staff regarding needed appraisal updates and FRPP required appraisal reviews and submissions to meet FRPP closing deadlines; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 11, 2010 the Stow Creek Township Committee approved the application without any cost share funding; and

WHEREAS, the Cumberland County Agriculture Development Board approved the application on February 24, 2010 and secured a commitment of funding for \$1,200 per acre (30% of the easement purchase) from the Cumberland County Board of Chosen Freeholders for the required local match on April 22, 2010 should the anticipated FRPP grant not cover its entire cost share on the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Jones Farm, comprising approximately 72.10 acres, at a State cost share of \$2,800 per acre (70% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% acreage buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$201,880; and

BE IT FURTHER RESOLVED, that the SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and the availability of those funds; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$300 per acre) to reduce the SADC's grant taken from the County's base grant for the Jones Farm; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

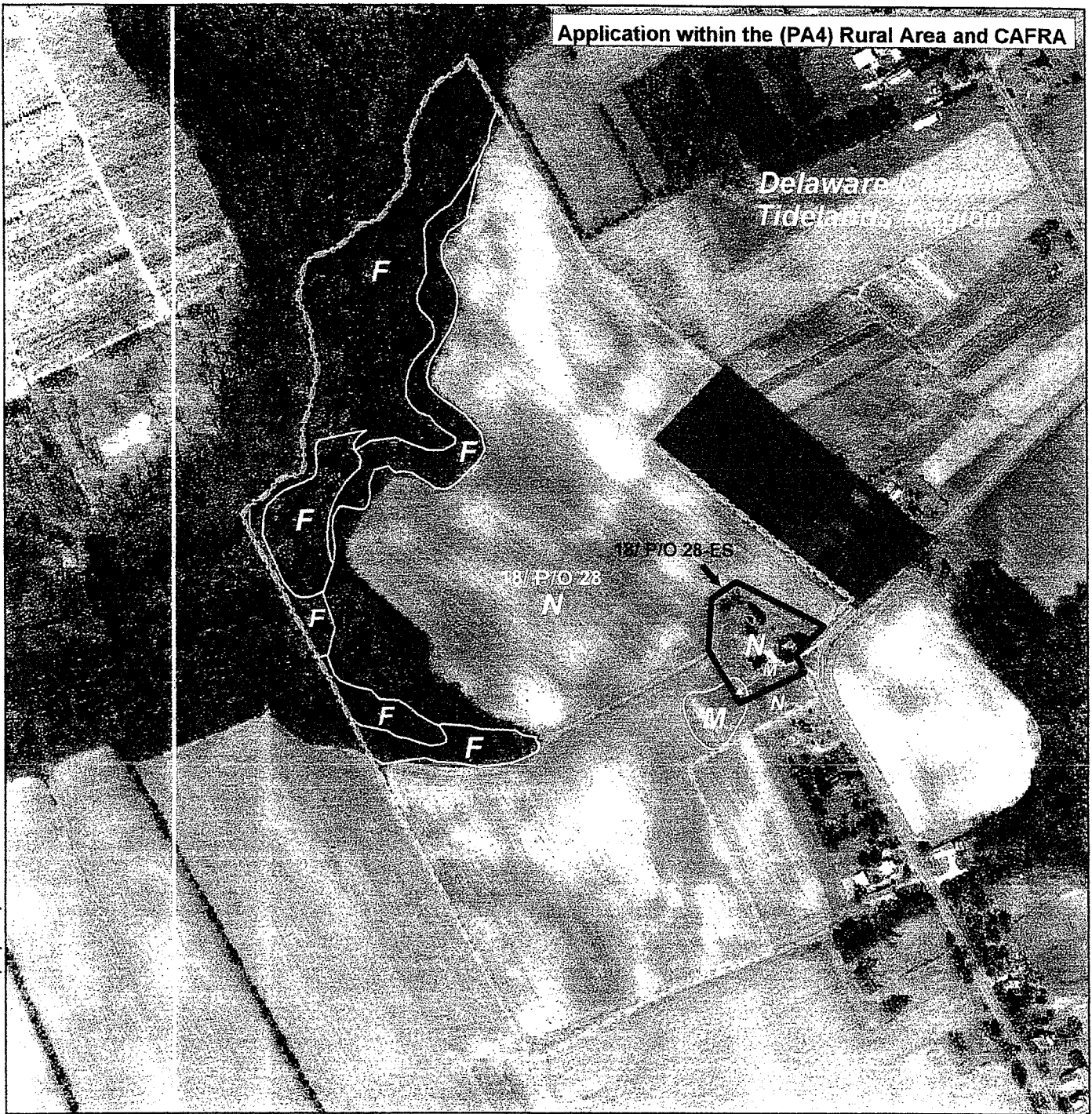
Wetlands

Schedule A

Application within the (PA4) Rural Area and CAFRA

Delaware Coastal
Tidelands Region

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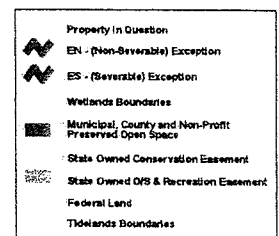
FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Clifton and Dorothy Jones
Block 18 Lots P/O 28 (71.8 ac) & P/O 28-ES (severable exception - 2.0 ac)
Gross Total = 73.8 ac
Greenwich Twp., Cumberland County

500 250 0 500 1,000 Feet

TIDELANDS DISCLAIMER:
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

September 14, 2009

Schedule B

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC		SADC Grant Per Acre	Easement		Total Federal Grant	SADC Federal Grant	Cost Share	1,500,000 Base Grant		
				Per Acre	Per Acre		Consideration					Encumbered at Final	PV Encumbered	Expend Balance
Shimp, Newton B. III	Stow Creek	102	105.060	4,500.00		3,100.00	472,770.00		168,096.00	21,012.00	325,686.00	325,686.00		1,174,314.00
Kacewich, Norman & Lynette	Stow Creek	17.37	17.891	8,000.00		4,900.00	143,128.00		70,669.45	15,207.35	87,665.90	87,665.90		1,086,648.10
Jones, Clifton & Dorothy	Greenwich	70	72.100	4,000.00		2,800.00	288,400.00		108,150.00	21,630.00	201,880.00	201,880.00		884,768.10
Newton, Thomas	Greenwich	45.3	46.659	4,500.00		3,100.00	209,955.50		107,315.70	41,993.10	144,642.90	144,642.90		740,125.20
Fox, Frank A.	Upper Deerfield	58.9	60.667	5,100.00		3,450.00					209,301.15			
Cruzan, Daniel & Diane	Hopewell	92.8	95.584	6,300.00		4,050.00					387,115.20			
Minch, Michael et al	Hopewell	11	11.330	12,100.00		7,260.00					82,255.80			
DeVecchio, Brian & Susan	Lawrence	45.14	46.494	5,100.00		3,450.00					160,404.99			
SF Systems Company/Sheppard	Lawrence	43.2	44.496	4,400.00		3,040.00					135,267.84			
Dickinson, Everett et al	Shiloh Boro	40	41.200	6,300.00		4,050.00					166,860.00			
Coll #1, Kevin A.	Stow Creek	44	45.320	4,900.00		3,340.00					151,368.80			
Coll #2, Kevin A.	Stow Creek	44	45.320	5,100.00		3,450.00					156,354.00			
Garton #2, Jeffrey & Deborah	Upper Deerfield	38.48	39.634	7,500.00		4,650.00					184,299.96			
Adamucci #1, Carmen Sr.	Hopewell	125	128.750	5,900.00		3,850.00					495,687.50			
									0.00		2,888,790.04			
Cumberland Co/Riggins	Stow Creek	76	78.28						0.00		0.00			
Adamucci #2, Carmen	Hopewell	48	49.440						0.00		0.00			
Cumberland Co/Sheppard Anne	Greenwich	71	73.130								0.00			
Co. County/Kates, Thomas	Lawrence	25	25.750						0.00		0.00			
Cum.Co/Mooneyham	Upper Deerfield	23	23.690						0.00		0.00			
Cum. Co/Sheppard Mark K.	Stow Creek	71	73.130								0.00			
Keung Lam Realty	Lawrence	146	150.380						0.00		0.00			
Paladino, Vincent	Deerfield Twp.	30	30.900	7,000.00					0.00		0.00			
Burton, Carolyn & Ewing W.	Stow Creek	70	72.100	4,700.00					0.00		0.00			
Mazza, Frank & Lois	Stow Creek	120	123.600						0.00		0.00			
Fox, Grace Elizabeth	Upper Deerfield	24	24.720	7,200.00					0.00		0.00			
Overstreet, Chari	Upper Deerfield	82	84.460	7,900.00							0.00			
Ruske, Roger, Margaret & Chris	Fairfield Twp.	205	211.150								0.00			
Rio, Nicholas, Sarilee, Jr.	Upper Deerfield	55	56.650	6,000.00							0.00			
Baillinger, Frank	Hopewell	70	72.100								0.00			
Withdrawn														
Riley, Joseph & Judith	Greenwich	70	72.100								0.00			
Cum. Co/Strosnider	Hopewell	44	45.320											
Total Pending	28		1949.986								0.00			
Total Encumbered												759,874.80		
Closed/Expended													0.00	
Total														

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Jones Property
06- 0091-PG
FY 2010 County PIG Program
70 Acres

Block 18	Lot 28	Greenwich Twp.	Cumberland County
SOILS:		Prime	81% * .15 = 12.15
		Unique zero	19% * 0 = .00
			SOIL SCORE: 12.15
TILLABLE SOILS:		Cropland Harvested	63% * .15 = 9.45
		Other	1% * 0 = .00
		Woodlands	36% * 0 = .00
			TILLABLE SOILS SCORE: 9.45
FARM USE:		Soybeans-Cash Grain	45 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st two (2) acres for exclude existing dwelling
 - Exception is severable
 - Exception is to be restricted to one single family residential unit(s)
 - c. Additional Restrictions:
 1. 4% impervious cover max (approx 2.8 acres) pursuant to Federal Farm and Ranch Land Protection Program
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R12(14)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

CUMBERLAND COUNTY

for the

PURCHASE OF A DEVELOPMENT EASEMENT

On the Property of

Norman & Lynette Kacewich ("Owner")

Stow Creek Township, Cumberland County

N.J.A.C. 2:76-17 et seq.

SADC ID# 06-0078-PG

DECEMBER 9, 2010

WHEREAS, on December 15, 2008, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Cumberland County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted preliminary approval of Cumberland County's PIG plan on May 28, 2009 and final approval of the plan on December 10, 2009; and

WHEREAS, on July 22, 2009 the SADC received an application for the sale of a development easement from Cumberland County for the Kacewich Farm identified as Block 25, Lot 12, and Block 26, Lot 11.03, Stow Creek Township, Cumberland County, totaling approximately 17.37 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Property is located in Cumberland County's Stow Creek Project Area; and

WHEREAS, the Property includes one (1) existing single-family residence; and

WHEREAS, the Property has a rank score of 53.67 which exceeds 42, which is 70% of the County's average quality score as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on October 21, 2009 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on January 28, 2010 the SADC certified a development easement value of \$8,000 per acre based on zoning and environmental regulations in place as of October 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, Cumberland County accepted the Owner's offer of \$8,000 per acre for the development easement for the Property; and

WHEREAS, on October 15, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 17.891 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, on July 22, 2010 the SADC established FY11 funding allocations to provide eligible counties with a base grant of \$1,500,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, SADC FY11 funding (2009 Bond Referendum Funds) for use by Cumberland County was approved by the SADC on July 22, 2010 and is subject to appropriation by the Legislature and approval by the Governor; and

WHEREAS, the Cumberland County Agriculture Development Board is requesting \$87,665.90 from its base grant, leaving a cumulative balance of \$1,086,648.10 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2011 grant of \$4,500,000, subject to the availability of funds for additional applications; and

WHEREAS, Cumberland County, in participation with the New Jersey Conservation Foundation (NJCF), has applied to utilize USDA, NRCS, FY07 Farm and Ranch Lands Protection Program (FRPP) grant funding in the amount of \$3,950 per acre to further leverage available County funding for farmland preservation; and

WHEREAS, the Property has approximately 28% Prime and 46% Statewide Important soils; and

WHEREAS, the Owner agreed to the additional restrictions associated with the use of FRPP grant funding, including a 1 acre impervious cover limit available for the construction of agricultural infrastructure on the Property required for all farms under 50 acres utilizing FY07 FRPP funding; and

WHEREAS, it has been determined that the Property and the Owner qualify for FRPP grant funds; and

WHEREAS, the County intends to use the FRPP grant to cover the local cost share (\$3,100 per acre), allocating any remaining FRPP funding towards the SADC PIG grant (an estimated \$850 per acre); and

Cost share breakdown prior to FRPP Grant:

	<u>Total</u>	
SADC	\$87,665.90	(\$4,900/acre)
Cumberland County	<u>\$55,462.10</u>	(\$3,100/acre)
Total Easement Purchase	\$143,128.00	

Cost share breakdown after ^{+/-} \$70,669.45 FRPP Grant is approved and applied:

	<u>Total</u>	<u>FRPP \$</u>	<u>New Cost Share</u>
SADC	\$87,665.90 (\$4,900/acre)	\$15,207.35	\$72,458.55 (\$4,050/acre)
Cumberland County	\$55,462.10 (\$3,100/acre)	\$55,462.10	\$0 (\$0/acre)
FRPP Grant			<u>\$70,669.45</u> (\$3,950/acre)
	\$143,128	\$70,669.45	\$143,128 \$8,000/acre

WHEREAS, subject to NRCS approval of FRPP funding, the County and NJCF are required to coordinate closely with SADC staff regarding needed appraisal updates and FRPP required appraisal reviews and submissions to meet FRPP closing deadlines; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on May 11, 2010 the Stow Creek Township Committee approved the application without any cost share funding; and

WHEREAS, the Cumberland County Agriculture Development Board approved the application on February 24, 2010 and secured a commitment of funding for \$3,100 per acre (38% of the easement purchase) from the Cumberland County Board of Chosen Freeholders for the required local match on April 27, 2010 should the anticipated FRPP grant not cover its entire cost share on the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Cumberland County for the purchase of a development easement on the Kacewich Farm, comprising approximately 17.891 acres, at a State cost share of \$4,900 per acre (62% of certified market value and purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that to account for any potential increase in the final surveyed acreage, a 3% acreage buffer has been applied to the funds encumbered from the County's base grant, which would allow for a maximum SADC cost share of \$87,665.90; and

BE IT FURTHER RESOLVED, that the SADC grant funds are conditioned on the appropriation of funding by the legislature and approval by the Governor and the availability of those funds; and

BE IT FURTHER RESOLVED, that the SADC will utilize any remaining FRPP grant funds (estimated \$200 per acre) to reduce the SADC's grant taken from the County's base grant for the Kacewich Farm; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

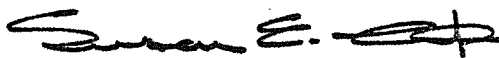
BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

12/9/10
Date



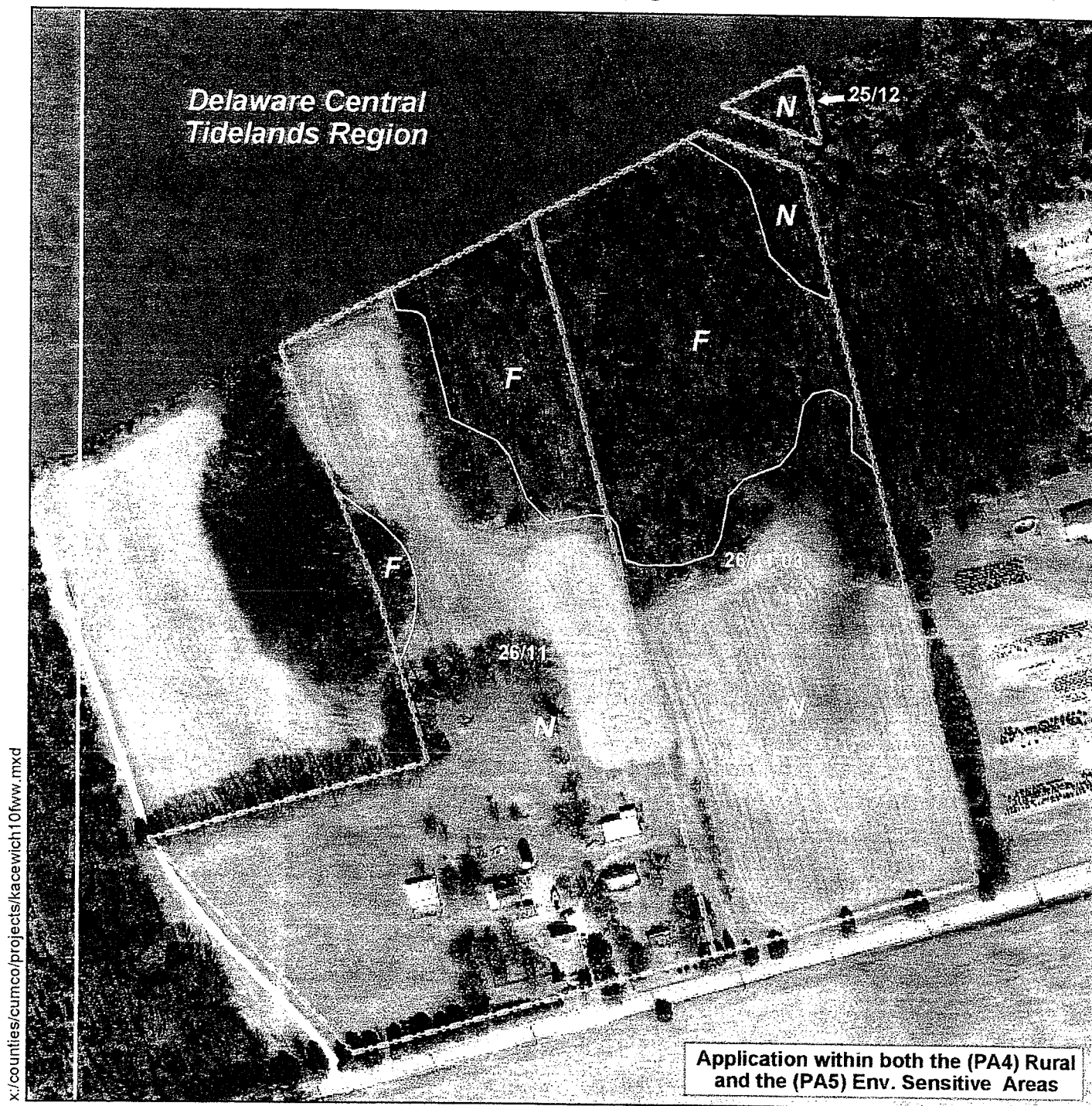
Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Wetlands

Schedule A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Norman and Lynette Kacewich
Block 25 Lot 12 (0.1 ac)
Block 26 Lots 11 (9.1 ac) & 11.03 (8.2 ac)
Gross Total = 17.4 ac
Stow Creek Twp., Cumberland County



TIDELANDS DISCLAIMER:
The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 4, "Tidelands Claims Maps". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Riparian claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
	Federal Land
	Tidelands Boundaries

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJ017/OGIS 2007/2008 DigitalAerial Image

August 13, 2009

Cumberland County

New Jersey Farmland Preservation Program
Preservation Program
County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

fy2011 funding (09 bond fund)

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	SADC Grant Per Acre	Easement Consideration	Total		Cost Share	1,500,000			
							Federal Grant	SADC Federal Grant		Encumbered at Final	PV Encumbered	Expend	Balance
Shimp, Newton B. III	Slow Creek	102	105.060	4,500.00	3,100.00	472,770.00	168,096.00	21,012.00	325,686.00	325,686.00			1,174,314.00
Kaezwich, Norman & Lynette	Slow Creek	17.37	17.891	8,000.00	4,900.00	143,128.00	70,659.45	15,207.35	87,665.90	87,665.90			1,086,648.10
Jones, Clifton & Dorothy	Greenwich	70	72.100	4,000.00	2,800.00	288,400.00	108,150.00	21,630.00	201,880.00	201,880.00			884,768.10
Newton, Thomas	Greenwich	45.3	46.659	4,500.00	3,100.00	209,965.50	107,315.70	41,993.10	144,642.90	144,642.90			740,125.20
Fox, Frank A.	Upper Deerfield	58.9	60.667	5,100.00	3,450.00				209,301.15				
Cruzan, Daniel & Diane	Hopewell	92.8	95.584	6,300.00	4,050.00				387,115.20				
Minch, Michael et al	Hopewell	11	11.330	12,100.00	7,260.00				82,255.80				
DelVecchio, Brian & Susan	Lawrence	45.14	46.494	5,100.00	3,450.00				160,404.99				
SF Systems Company/Sheppard	Lawrence	43.2	44.496	4,400.00	3,040.00				135,267.84				
Dickinson, Everett et al	Shiloh Boro	40	41.200	6,300.00	4,050.00				166,860.00				
Coll #1, Kevin A.	Slow Creek	44	45.320	4,900.00	3,340.00				151,368.80				
Coll #2, Kevin A.	Slow Creek	44	45.320	5,100.00	3,450.00				156,354.00				
Garton #2, Jeffrey & Deborah	Upper Deerfield	38.48	39.634	7,500.00	4,650.00				184,299.96				
Adamucci #1, Carmen Sr.	Hopewell	125	128.750	5,900.00	3,850.00				495,667.50				
									2,888,790.04				
Cumberland Co/Higgins	Slow Creek	76	78.28				0.00		0.00				
Adamucci #2, Carmen	Hopewell	48	49.440				0.00		0.00				
Cumberland Co/Sheppard Anne	Greenwich	71	73.130						0.00				
Co. County/Kates, Thomas	Lawrence	25	25.750				0.00		0.00				
Cum. Co/Mooneyham	Upper Deerfield	23	23.690				0.00		0.00				
Cum. Co/Sheppard Mark K.	Slow Creek	71	73.130						0.00				
Keung Lam Realty	Lawrence	146	150.380				0.00		0.00				
Paladino, Vincent	Deerfield Twp.	30	30.900				0.00		0.00				
Burton, Carolyn & Ewing, W.	Slow Creek	70	72.100				0.00		0.00				
Mazza, Frank & Lois	Slow Creek	120	123.600				0.00		0.00				
Fox, Grace Elizabeth	Upper Deerfield	24	24.720				0.00		0.00				
Oversstreet, Chari	Upper Deerfield	82	84.460						0.00				
Ruske, Roger, Margaret & Chris	Fairfield Twp.	205	211.150						0.00				
Rio, Nicholas, Sarilee, Jr.	Upper Deerfield	55	56.650						0.00				
Baitinger, Frank	Hopewell	70	72.100						0.00				
withdrawn													
Piley, Joseph & Judith	Greenwich	70	72.100						0.00				
Cum. Co./Strosnider	Hopewell	44	45.320										
Total Pending	28		1949.986						0.00				
Total Encumbered										759,874.80			
Closed/Expended											0.00		
Total													

Schedule B

Schedule C

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Kacewich Farm
06- 0078-PG
FY 2010 County PIG Program
17 Acres

Block 25	Lot 12	Stow Creek Twp.	Cumberland County
Block 26	Lot 11	Stow Creek Twp.	Cumberland County
Block 26	Lot 11.03	Stow Creek Twp.	Cumberland County

SOILS:	Other	24% *	0	=	.00
	Prime	28% *	.15	=	4.20
	Statewide	46% *	.1	=	4.60
	Unique zero	2% *	0	=	.00

SOIL SCORE: 8.80

TILLABLE SOILS:	Cropland Harvested	61% *	.15	=	9.15
	Other	6% *	0	=	.00
	Wetlands	27% *	0	=	.00
	Woodlands	6% *	0	=	.00

TILLABLE SOILS SCORE: 9.15

FARM USE:	Hay	12 acres
	Ornament Nursery Products	1 acres
	Horse & Other Equine	2 acres
	Chicken Eggs	1 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions: No Exceptions Recorded
 - c. Additional Restrictions:
 1. 1 acre (2%) due to size limit pursuant to Federal Farm and Ranch Land Protection Program
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2011R12(15)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

**MIDDLESEX COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT**

**On the Property of
Robert and Karen Balz
Balz Farm
Monroe Township, Middlesex County**

**N.J.A.C. 2:76-17 et seq.
SADC ID# 12-0012-PG
December 9, 2010**

WHEREAS, on December 17, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") application from Middlesex County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval of the FY2010 plan on November 5, 2009; and

WHEREAS, on 4/29/09 the SADC received an application for the sale of a development easement from Middlesex County for the Balz Farm hereinafter referred to as "Owner" identified as Block 83, Lot 6.09, Monroe Township, Middlesex County, totaling approximately 14.1 net acres hereinafter referred to as "Property" and as identified on the attached map (Schedule A); and

WHEREAS, the Property is located in Middlesex County's Northwestern Project area; and

WHEREAS, the Property has zero (0) existing single family residences, zero (0) residences used for agricultural labor, and no pre-existing non-agricultural uses; and

WHEREAS, the Property has one, 0.61 acre severable exception around a building used for machinery repair and general storage; and

WHEREAS, the Property has a rank score of 50.07 which exceeds 70% of the County's average quality score of 39, as determined by the SADC on July 24, 2008; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on 9/4/09 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on April 23, 2010 the SADC certified a development easement value of \$45,000 per acre based on 1/1/04 zoning and environmental regulations and current zoning and environmental regulations as of the 4/22/09 valuation date; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$45,000 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, on October 20, 2010 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, and Resolution # FY08R9(33), adopted on July 26, 2007, the SADC authorized a FY09 funding allocation to provide eligible counties with a base grant of \$2,000,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, the Middlesex County Agriculture Development Board is requesting \$380,700 from its base grant, leaving a cumulative balance of \$262,081.40 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76 17.14 the County is eligible to apply for an additional \$3,000,000 of competitive grant funding for a maximum FY 2009 grant of \$5,000,000, subject to the availability of funds for additional applications; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, Monroe Township approved the application on 7/7/10 and a cost share in the amount of \$9,000 per acre, and the County Agriculture Development Board approved the application on 9/8/10 and the County Board of Chosen Freeholders approved the application on 10/7/10 with a commitment of providing the \$9,000 per acre needed to cover the local cost share;

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to N.J.A.C. 2:76-17.14, grants final approval to provide a cost share grant to Middlesex County for the purchase of a development easement on the Balz Farm, comprising approximately 14.1 acres, at a State cost share of \$27,000 per acre (60.00% of certified market value) for a total grant need of approximately \$380,700 pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

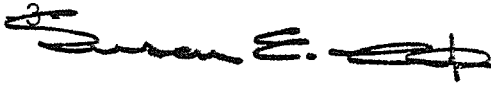
BE IT FURTHER RESOLVED, any unused funds including the 3% buffer, if utilized, encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund) after closing on the easement purchase; and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

12/9/10
Date


Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	RECUSE
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES



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Application within both the (PA2)
Suburban and the Park Planning Areas

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Robert and Karen Balz
Block 83 Lots P/O 6.09 (14.1 ac) & P/O 6.09-ES (severable exception - 0.6 ac)
Gross Total = 14.7 ac
Monroe Twp., Middlesex County



Property In Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
	Federal Land

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

May 6, 2009

County Planning Incentive Grant - N.J.A.C. 2:76-17 el sed		SADC	2,000,000
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Schedule B

Spöhring, C. H. Integrant: <https://doi.org/10.20942/202004.v10i1.p14>

GENERAL

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Balz Farm
12- 0012-PG
FY 2009 County PIG Program
14 Acres

Block 83	Lot 6.09	Monroe Twp.	Middlesex County
SOILS:			
	Other	25% * 0	= .00
	Prime	41.2% * .15	= 6.18
	Statewide	33.8% * .1	= 3.38
			SOIL SCORE: 9.56
TILLABLE SOILS:			
	Cropland Harvested	51% * .15	= 7.65
	Woodlands	49% * 0	= .00
			TILLABLE SOILS SCORE: 7.65
FARM USE:			
	Vegetable & Melons	8 acres	
	Ornament Nursery Products	2 acres	cut flowers

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (.61) acres for encompass existing nonag use
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
Exception is to be restricted to zero single family residential unit(s)
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

Schedule B

December 9, 2010

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2011R12(16)

**SADC EASEMENT ACQUISITION
PRELIMINARY APPROVAL**

**of an
ALTERNATE FARM
IN THE HIGHLANDS PRESERVATION AREA**

Hill & Dale Farms, Inc.

December 9, 2010

Subject Farm: Hill & Dale Farms, Inc.
Block 51, Part of Lot 80
Tewksbury Twp., Hunterdon County
SADC ID#: 10-0194-DE
41 Net Acres

WHEREAS, on October 26, 2010 the SADC received an application to sell an agriculture development easement from Hill & Dale Farms, Inc. for property identified as Block 51, part of Lot 80, Tewksbury Township, Hunterdon County, which is situated in the Highlands Preservation Area, consisting of 41 net acres and has a quality score of 60.53, hereinafter "Property" as identified in Schedule "A"; and

WHEREAS, the Property supports a hay operation, has approximately 17% prime soils and 35% soils of statewide importance, 32 acres of tillable land, as identified in Schedule B; and

WHEREAS, the landowner is requesting one (1) one-acre non-severable exception restricted to the two existing cottages, or their replacement; and

WHEREAS, on March 23, 2006 the SADC adopted the FY 2006 Highlands Preservation Appropriation Expenditure Policy – Amended, which approves the use of Highlands funds to support additional applications in all farmland preservation programs where demand for funding has outstripped otherwise approved SADC funding. The Property is a candidate for this funding source; and

WHEREAS, at this time there is approximately \$3.4 million of Highlands funding available; and

WHEREAS, staff evaluated this application for the sale of development easements directly to the SADC pursuant to Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and N.J.A.C. 2:76-11.5, which prioritizes applications into "Priority", "Alternate" and "Other" farms; and

WHEREAS, staff finds that the Property does not meet the SADC's "Priority" category for Hunterdon County (46 acres), but does satisfy the criteria for Hunterdon County farms in the "Alternate" category (34 acres and 43 quality score) which requires SADC approval; and

WHEREAS, the preservation of this Property for farmland purposes is part of a larger land conservation project spearheaded by the New Jersey Conservation Foundation (NJCF), which will be preserving approximately 120 adjacent acres owned by Hill & Dale Farms, Inc.; and

WHEREAS, once preliminary approval is received from the SADC, Hill & Dale Farms, Inc. will proceed to subdivide the Property in order for appraisal values to be determined and for eventual easement conveyance to the SADC; and

NOW THEREFORE BE IT RESOLVED, that the SADC grants preliminary approval to the Hill & Dale Farms, Inc. property for an easement acquisition and authorizes staff to proceed with the following:

1. Enter into a 120 day option agreement with the landowner.
2. Secure two independent appraisals or allow the NJCF to update appraisals that were previously procured for the Property to estimate the fair market value of the Property.
3. Review the two independent appraisals and recommend a certified fair market easement value of the property to the SADC.
4. Negotiate with the landowner to acquire a development easement on the property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Hill & Dale Farms, Inc. - Schedule A



x:\counties\hunco\projects\rothpletz_hill&dale_fwv.mxd

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Michael Rothpletz/Hill & Dale Farm
Block 51 Lots P/O 80 (41.2 ac)
& P/O 80-EN (non-severable exception - 1.0 ac)
Gross Total = 42.2 ac
Tewksbury Twp., Hunterdon County

250 125 0 250 500 Feet



Property In Question	
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
Wetlands Boundaries	
	300 ft Buffered Wetlands
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned OIS & Recreation Easement
	Federal Land

Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
B - 300' Buffer
W - Water

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Sources:
NJDEP Freshwater Wetlands Data
Green Acres Conservation Easement Data
NJOT/OGIS 2007/2008 Digital Aerial Image

November 17, 2010

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Hill & Dale Farms
2006A
Easement Purchase - SADC
41 Acres

Block 51	Lot 80	Tewksbury Twp.	Hunterdon County
SOILS:			
		Other	47.56% * 0 = .00
		Prime	17.01% * .15 = 2.55
		Statewide	35.43% * .1 = 3.54
			SOIL SCORE: 6.09
TILLABLE SOILS:			
		Cropland Harvested	85% * .15 = 12.75
		Woodlands	15% * 0 = .00
			TILLABLE SOILS SCORE: 12.75
FARM USE:	Hay		32 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for cottages
 - Exception is not to be severable from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2011R12(17)

**Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase**

**On the Property of
David and Susan Tullo**

December 9, 2010

Subject Property: Tullo Farm
Block 57, Lots 27 and 28
Lebanon Township, Hunterdon County
SADC ID#: 10-0167-D
Approximately 131 Net Acres

WHEREAS, on November 30, 2007, the State Agriculture Development Committee ("SADC") received a development easement sale application from David and Susan Tullo, hereinafter "Owner," identified as Block 57, Lots 27 and 28, Lebanon Township, Hunterdon County, hereinafter "Property," totaling approximately 131 net acres, identified in Schedule A; and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development easements directly from landowners; and

WHEREAS, the Property is situated within the Highlands Preservation Area and the Tullo application qualifies for supplemental funding pursuant to SADC FY 2006 Highlands Preservation Appropriation Expenditure Policy – Amended, which authorizes the use of Highlands funds to support additional applications in all farmland preservation programs where demand for funding has outstripped otherwise approved SADC funding; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on January 29, 2006 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, this farm is 131 net acres in size and has a quality score of 54.23, as contained in Schedule B, which qualified this farm as a Priority farm in accordance with the criteria established by the SADC for farms in Hunterdon County on July 24, 2008; and

WHEREAS, the application includes a four (4) acre non-severable exception around an existing single family dwelling and a cottage; and

WHEREAS, Owner is requesting a two (2) acre severable exception for a future single family dwelling; and

WHEREAS, the Tullo farm is currently devoted to pasturing and hay production, has 52 percent prime soils and 31 acres of tillable land; and

WHEREAS, on November 4, 2010, the SADC certified the development easement value of the Property at \$6,500 per acre based on January 1, 2004 zoning and environmental conditions and \$400 per acre based on current zoning and environmental conditions as of June 30, 2009; and

WHEREAS, on December 7, 2010 the Owner accepted the SADC's offer to purchase the development easement on the Property at the higher value of \$6,500 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be necessary including but not limited to contracts, survey, title search and insurance and closing documents; and

WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Tullo farm application, for the direct acquisition of the development easement at a value of \$6,500 per acre for a total of approximately \$851,500 subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC approves the use of funding pursuant to SADC FY 2006 Highlands Preservation Appropriation Expenditure Policy – Amended, which authorizes the use of Highlands funds to support additional applications in all farmland preservation programs where demand for funding has outstripped otherwise approved SADC funding; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Craft, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Tullo farm; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10



Date

Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

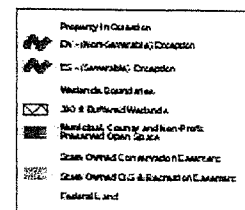
Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Schedule A



FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

David and Susan Tullo
Block 57 Lots P/O 27 (111.4 ac), P/O 27-EN (non-severable exception - 4.0 ac)
P/O 28 (20.0 ac) and P/O 28-ES (severable exception - 2.2 ac)
Gross Total = 137.6 ac
Lebanon Twp, Hunterdon County

[illegible]

Wetlands Legend:
 1- Fresh Water Wetlands
 2- Salt Water Wetlands
 3- Wetlands Modified by Agriculture
 4- Fresh Watering
 5- Salt Watering
 6- 300' Buffer
 7- 100' Buffer

Sources:
 1. The New York Times
 2. The Washington Post
 3. The Los Angeles Times
 4. The Chicago Tribune
 5. The Wall Street Journal

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Stillwatter Way
2006A
Easement Purchase - SADC
131 Acres

Block 57	Lot 27	Lebanon Twp.	Hunterdon County
Block 57	Lot 28	Lebanon Twp.	Hunterdon County
SOILS:		Other	47% * 0 = .00
		Prime	52% * .15 = 7.80
		Statewide	1% * .1 = .10
			SOIL SCORE: 7.90
TILLABLE SOILS:		Cropland Harvested	24% * .15 = 3.60
		Woodlands	76% * 0 = .00
			TILLABLE SOILS SCORE: 3.60
FARM USE:	Hay		acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ties) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use:
 - b. Exceptions:
 - 1st two (2) acres for future house
Exception is severable
Right to Farm language is to be included in Deed of Future Lot
Exception is to be restricted to one single family residential unit
 - 2nd four (4) acres for existing house and cottage
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
 - c. Additional Restrictions: No Additonal Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2011R12(18)

**Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
New Jersey Conservation Foundation – Lovero Farm
2006 Non Profit Round**

December 9, 2010

Nonprofit Easement Grant Program:

Subject Property: New Jersey Conservation Foundation/Lovero
Block 62, Lot 26.041 Hopewell Township
Mercer County
73 Acres

WHEREAS, on February 4, 2005 the State Agriculture Development Committee (“SADC”), received a non-profit cost share grant application from the New Jersey Conservation Foundation (NJCF) for the Sourlands Project Area, Hunterdon, Mercer and Somerset Counties; and

WHEREAS, on April 28, 2005 the SADC granted preliminary approval to the application and appropriated \$1,000,000 for the acquisition of development easements or fee simple interest to any of the lands identified in the Sourlands Project Area; and

WHEREAS, on August 12, 2010 NJCF submitted the Lovero farm (see Schedule A) as a nonprofit easement acquisition within the Sourlands Project Area; and

WHEREAS, the farm consists of 77 percent prime soils and 14 percent statewide soils and is 62 percent tillable; and

WHEREAS, the landowner is requesting a 3.5 acre nonseverable exception around an existing single family residence; and

WHEREAS, based on criteria for evaluating development easement applications, N.J.A.C. 2:76-6.16, the farm's quality score is 70.49; and

WHEREAS, the Lovero farm meets the minimum eligibility criteria set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, the Property was included on NJCF's Federal United States Department of Agriculture, Natural Resources Conservation Service Federal Farm and Ranch Lands Protection Program 2009 Grant application as a targeted farm and NJCF has requested USDA, NRCS to utilize this funding as part of the easement acquisition cost; and

Lovero Farm

Schedule A

x:/counties/merco/projects/lovero2_aerial.mxd



FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Frank Lovero/NJCF
Block 62 Lots P/O 26.041 (72.9 ac)
& P/O 26.041-EN (non-severable exception - 3.5 ac)
Gross Total = 76.4 ac
Hopewell Twp., Mercer County

500 250 0 500 1,000 Feet



	Property in Question
	EN - (Non-Severable) Exception
	EB - (Severable) Exception
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Conservation Easement
	State Owned Q/S & Recreation Easement
	Federal Land

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor

Sources:
Green Acres Conservation Easement Data
NJGIT/OGIS 2007/2008 Digital Aerial Image

September 14, 2010

Schedule B

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

NJCF/Lovero
11- 0013-NP
Not applicable Easement Purchase - Nonprofit
73 Acres

Block 62 Lot 26.041 Hopewell Twp. Mercer County

SOILS:

Other	9.75% *	0	=	.00
Prime	76.69% *	.15	=	11.50
Statewide	13.56% *	.1	=	1.36

SOIL SCORE: 12.86

TILLABLE SOILS:

Cropland Harvested	62% *	.15	=	9.30
Woodlands	38% *	0	=	.00

TILLABLE SOILS SCORE: 9.30

FARM USE: Soybeans-Cash Grain 47 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (3.5) acres for existing home
Exception is not to be severable from Premises
Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FYR2011R12(19)

Request for Division of Premises

Rhyne & Andraya Simpson

December 9, 2010

WHEREAS, Rhyne & Andraya Simpson, hereinafter "Owners", are the record owners of Block 19, Lots 11.05, 11.06 & 11.07 in Tewksbury Township, Hunterdon County, by Deed dated August 20, 1999, and recorded in the Hunterdon County Clerk's Office, in Deed Book 1219, Page 181, and by Deed dated July 17, 2003, and recorded in the Hunterdon County Clerk's Office, in Deed Book 2068, Page 14, totaling approximately 72.71 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the Owners originally purchased lots 11.06 & 11.07, which contain the home and equine infrastructure in 1999; and

WHEREAS, the Owners subsequently purchased lot 11.05, the last remaining unsold lot in this development, in 2003; and

WHEREAS, the development easement on the Premises (all three lots) was conveyed to the SADC on October 17, 2008, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, as a Deed of Easement recorded in Deed Book 2219, Page 582; and

WHEREAS, the Premises is situated at the end of a large lot, single family home, cul-de-sac development; and

WHEREAS, on October 26, 2010, the SADC received a request for a division of the Premises from the Owners; and

WHEREAS, the Owners propose to divide the Premises, as shown in Schedule "A", to allow them to sell Parcel B to an adjacent landowner, Marlana Heydenreich, hereinafter "Contract Purchaser"; and

WHEREAS, the Owners had previously proposed to divide the Premises through a similar configuration in December of 2009, which the SADC denied because it did not result in agriculturally viable parcels; and

WHEREAS, this most recent division request for this property involves the proposed donation of a development easement on eight acres of the Contract Purchaser's 26-acre lot, located adjacent to the Premises, if the division request is approved; and

WHEREAS, the Owners would retain ownership of Parcel "A" to continue their sport horse equine operation; and

WHEREAS, the Owners find it necessary to divest themselves of a portion of the Premises for financial reasons; and

WHEREAS, the Premises is currently operated by the Owners as a sport horse raising/training facility and hay farm; and

WHEREAS, the Owners purchase young thoroughbred horses and raise and train them as hunter/jumpers or as polo playing horses, for personal use and for resale; and

WHEREAS, in November of 2009, there were four horses on the Premises and the Owners indicated that they have had as many as 12 horses on the Premises at one time; and

WHEREAS, the Owners currently produce hay on approximately 28 acres of the overall Premises which they use to feed their own horses and with any excess being sold to a local distributor; and

WHEREAS, the Owners believe that if Parcel B is severed from the Premises they would be able to produce enough hay on Parcel A to meet the needs of their own horses; and

WHEREAS, on November 19, 2010, Mr. Simpson and the Contract Purchaser came to the SADC offices and met with staff to further explain their proposal for the Premises; and

WHEREAS, the Contract Purchaser has indicated that she would like to own Parcel B for viewshed purposes because it is located directly in front of her residence and forms the continuum of the field that is adjacent to her eight acre field; and

WHEREAS, the Contract Purchaser owns Block 19, Lot 11.04, which is 26.8 acres adjacent to Parcel "B", which is improved with an approximately 15,000 sq/ft residence; and

WHEREAS, the Contract Purchaser has agreed to donate the development easement on the eight tillable acres of her property adjacent to Parcel B (as shown in Schedule "A"), and has agreed that Parcel B and her 26-acre parcel shall never be sold apart from one another, if the SADC approves the division of premises request; and

WHEREAS, the Contract Purchaser pays a local farmer to farm the eight tillable acres of her property adjacent to Parcel B, which is also in hay; and

WHEREAS, if she acquires Parcel B, the Contract Purchaser's intent is to continue a landlord/tenant relationship with a local farmer; and

WHEREAS, the Contract Purchaser believes that by adding Parcel B to her agricultural holdings that the new larger configuration of approximately 28 tillable acres will make farming her overall property more efficient for a tenant farmer; and

WHEREAS, the Contract Purchaser maintains the remainder of her 26-acre property for aesthetic/personal enjoyment purposes and does not want to restrict more than the eight acre hay field for farmland preservation purposes; and

WHEREAS, paragraph 15 of the Deed of Easement states that no division of the Premises shall be permitted without approval in writing of the Grantee (SADC); and

WHEREAS, in order to grant approval, the Grantee must find that the division is for an agricultural purpose and will result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output; and

WHEREAS, the Deed of Easement identifies, one existing single family residential unit, no agricultural labor units, no RDSOs and no exception areas associated with the original Premises; and

WHEREAS, the resulting Parcel A would result in an approximately 44.03 acre property that is approximately 45% (20 acres) tillable with 34% (15.02 acres) prime soils, 40% (17.63 acres) soils of statewide importance, with 3.7% (1.64 acres) freshwater wetlands; and

WHEREAS, the resulting Parcel A would include the existing single-family residence, a 9-stall equine stable, outdoor training arena, several fenced paddock areas and hay field; and

WHEREAS, the Owner's primary residence is on Parcel A; and

WHEREAS, the resulting Parcel B would result in an approximately 28.68 acre property that is approximately 69% (20 acres) tillable with 58.35% (16.63 acres) prime soils, with 5% (1.43 acres) freshwater wetlands; and

WHEREAS, Parcel B has no improvements; and

WHEREAS, Parcel B consists of approximately 20 acres of hay and 8 acres of managed woodlot containing primarily mature Tulip Poplar trees; and

WHEREAS, on November 13, 2009, SADC staff visited the site and found approximately 10-acres of Parcel A being utilized for the equine operation and approximately 8-acres of Parcel A being utilized for hay production and approximately 20 acres of Parcel B in hay production; and

WHEREAS, the primary outputs of this farm have historically been equine and hay; and

WHEREAS, when Parcel B is combined with the 26-acre parcel owned by the Contract Purchaser the resulting parcel, Parcel C, is approximately 55.48 acres, that is approximately 50.4% (28 acres) tillable, with 35.5% (19.7 acres) prime soils, with 2.5% (1.43 acres) freshwater wetlands; and

WHEREAS, the SADC makes the following findings related to its determination of whether the division of the Premises results in agriculturally viable parcels:

- 1) Parcel A, consisting of 44.03 total acres, containing 20 tillable acres (10 acres of prime soils and 10 acres of soils of statewide importance) is insufficient in size to sustain a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from its agricultural output;
- 2) Parcel B, consisting of 28.68 total acres, containing 20 tillable acres (13 acres of

prime soils), is insufficient in size to sustain a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from its agricultural output;

- 3) Adding the adjacent 26-acres to Parcel B, to create Parcel C, results in eight additional tillable acres of which only three acres are considered prime soils;
- 4) All of the agricultural buildings and infrastructure related to the management of the overall Premises exist on Parcel A, further reducing the agricultural options on Parcel B if they were separated;
- 5) Development of agricultural infrastructure on Parcel B would take additional land out of production on a parcel which already has limited acreage available for agricultural production; and
- 6) The Contract Purchaser currently leases her eight acre field to a local farmer to grow and harvest hay and prefers to maintain the agricultural use of the new 28-acre field for aesthetic purposes;

WHEREAS, the SADC makes the following findings related to its determination of whether the division of the Premises is for an agricultural purpose:


- 1) The transfer of Parcel B is being prompted by the need of the Owners to divest themselves of that parcel for financial reasons, which is not an agricultural purpose; and
- 2) The Owners intend to sell Parcel B of the Premises to the Contract Purchaser who proposes to continue a landlord/tenant relationship on the Premises and her adjacent eight acres;
- 3) The Owners propose to keep Parcel A, this division would allow them to continue to reside there and to maintain their sport horse raising and training operation;
- 4) The proposal is likely to result in a more efficient use of the adjacent eight acre field for a tenant farmer;
- 5) The Contract Purchaser proposes to acquire the Parcel B for viewshed maintenance and aesthetic purposes, which is not an agricultural purpose; and
- 6) The proposed division would not result in agricultural production activities on the Premises being expanded, diversified, and/or intensified substantially as a result of the division; and

NOW, THEREFORE BE IT RESOLVED, that the SADC finds the Owners have not demonstrated that the division of the Premises is for an agricultural purpose that will result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output pursuant to the Deed of Easement and Policy P-30-A; and

BE IT FURTHER RESOLVED, that based on the above factual findings and conclusions, the SADC denies the Owner's application for the division of the Premises on the basis that the division of Premises is not for an agricultural purpose and does not result in agriculturally viable parcels such that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from the parcel's agricultural output pursuant to the Deed of Easement and Policy P-30-A; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	OPPOSE
Richard Boornazian (rep. DEP Commissioner Martin)	OPPOSE
James Requa (rep. DCA Commissioner Grifa)	OPPOSE
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	ABSTAIN
Jane R. Brodhecker	OPPOSE
Alan A. Danser	ABSTAIN
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

FOUR OPPOSE VOTES; FOUR YES VOTES, TWO ABSENTION VOTES, ONE ABSENT VOTE. NO ACTION TAKEN ON THE RESOLUTION

Schedule "A"

Simpson Farm

Parcel A
44.03 acres
1-Existing Residence

Lot 11.06

Parcel B
28.68 acres

Lot 11.07

Lot 11.05

Heydenreich Donation
8-Acres (Red)

Heydenreich Parcel
26- Acres (yellow)

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Simpson Farm
Block 19, Lots 11.05, 11.06 & 11.07
Tewksbury Township
Hunterdon County



0 200 400 800 1,200 1,600 Feet

Farmland Preservation Program

	PRESERVED EASEMENT
	EXCEPTION AREA
	PRESERVED EASEMENT / NR
	EXCEPTION AREA / NR
	FINAL APPROVAL
	PRELIMINARY APPROVAL
	ACTIVE APPLICATION
	8 YEAR PRESERVED
	TARGETED FARM
	INACTIVE APPLICATION
	NO CORRESPONDING DATA

State Planning Areas

	(PA1) METRO
	(PA2) SUBURBAN
	(PA3) FRINGE
	(PA4) RURAL
	(PA4B) RURAL ENV SENS
	(PA5) ENV SENS
	(PA5B) ENV SENSITIVE BARRIER IS
	(PA10) PINELANDS
	PARK
	MILITARY
	NEW JERSEY MEADOWLANDS
	WATER
	ELLIS ISLAND- NJ
	ELLIS ISLAND- NY

Base Map

	County Boundaries
	Municipal Boundaries
	Highlands Planning Area
	Highlands Preservation Area
	Pinelands Area
	Green Acres Preserved Easements

month/day/year

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FYR2011R12(20)

Request to Replace a Single Family Residence

Roger Ernst

December 9, 2010

Subject Property: Block 32, Lot 3
Upper Freehold Township, Monmouth County
130.65-Acres

WHEREAS, Roger Ernst, hereinafter "Owner", is the record owner of Block 32, Lot 3, in Upper Freehold Township, Monmouth County, by Deed dated July 10, 1982, and recorded in the Monmouth County Clerk's Office in Book 4365, Page 658, totaling approximately 130.65 acres, hereinafter referred to as "Premises" (as shown on Schedule "A"); and

WHEREAS, the development easement on the Premises was conveyed to the County of Monmouth, by Deed dated May 4, 2007, and recorded in the Monmouth County Clerk's Office in Book 8649, Page 9644, pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., PL 1983, and the Garden State Preservation Act, N.J.S.A. 13:8C, et seq.; and

WHEREAS, on October 29, 2010, the SADC received a request to replace the existing single-family residence on the Premises from the Monmouth CADB on behalf of the Owner; and

WHEREAS, the Deed of Easement identifies one single-family residence on the Premises, no exception areas, no agricultural labor units and no RDSOs; and

WHEREAS, paragraph 14 ii of the Deed of Easement allows for the replacement of any existing single-family residential building anywhere on the Premises with the approval of the Grantee and the Committee; and

WHEREAS, on November 16, 2010, SADC staff visited the site; and

WHEREAS, the Premises has been maintained primarily in mixed grains and pumpkins; and

WHEREAS, for approximately the past 20 years the Owner has leased the farm to a local tenant farmer; and

WHEREAS, the Owner proposes to replace the existing residence on the Premises with a new residence for himself and his family; and

WHEREAS, the proposed new house will be built approximately 75 feet south of the existing residence, as shown on Schedule "A"; and

WHEREAS, the new house will utilize the existing driveway; and

WHEREAS, the Owner proposes to build a ranch style house with approximately 3,200 square feet of heated living space (similar to the depiction in Schedule "B") to replace the existing residence which is approximately 3,700 square feet of living space; and

WHEREAS, the proposed new house will be built on a slab without a basement; and

WHEREAS, the existing home is the Owner's primary residence; and

WHEREAS, the Owner has requested that he and his family be permitted to reside in the existing house until the new residence is completed; and

WHEREAS, SADC staff have verified that the existing house was not included on the NJ Register of Historic Places;

WHEREAS, according to the Owner the existing house is in a state of disrepair with structural problems related to water damage and mold, uneven settling of the foundation, wood boring insect damage and is not energy efficient; and

WHEREAS, for personal reasons the Owner would prefer to live in a single-story home; and

WHEREAS, on November 3, 2010, the Monmouth CADB approved the replacement of the existing single family residence with a new residence in the location as shown in Schedule "A";

NOW THEREFORE BE IT RESOLVED, that the SADC, pursuant to the restrictions as contained in the Deed of Easement, finds that the replacement of an existing single family residence on the Premises to serve as the primary residence for the Owner, and his family is a permitted activity under the terms of the Deed of Easement; and

BE IT FURTHER RESOLVED, that the SADC approves the construction of a single family residence, consisting of approximately 3,200 square feet of heated living

space, at the location shown in Schedule "A", to replace the single family residence currently existing on the Premises; and

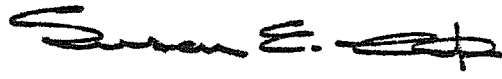
BE IT FURTHER RESOLVED, that this approval is valid for a period of three years from the date of this resolution; and

BE IT FURTHER RESOLVED, that the existing single-family residence being replaced shall be removed from the Premises within 60 days of receiving the certificate of occupancy for the new residence; and

BE IT FURTHER RESOLVED, that this approval is non-transferable; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

12/9/10
Date


Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Douglas H. Fisher, Chairperson	YES
Richard Boornazian (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Commissioner Grifa)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
James Waltman	YES
Denis C. Germano	ABSENT
Torrey Reade	YES
Stephen P. Dey	YES

Schedule "A"

Ernst Farm

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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Ernst Farm
Block 32 Lot 3
Upper Freehold Township
Monmouth County
130 acres



0 195 390 780 1,170 1,560 Feet

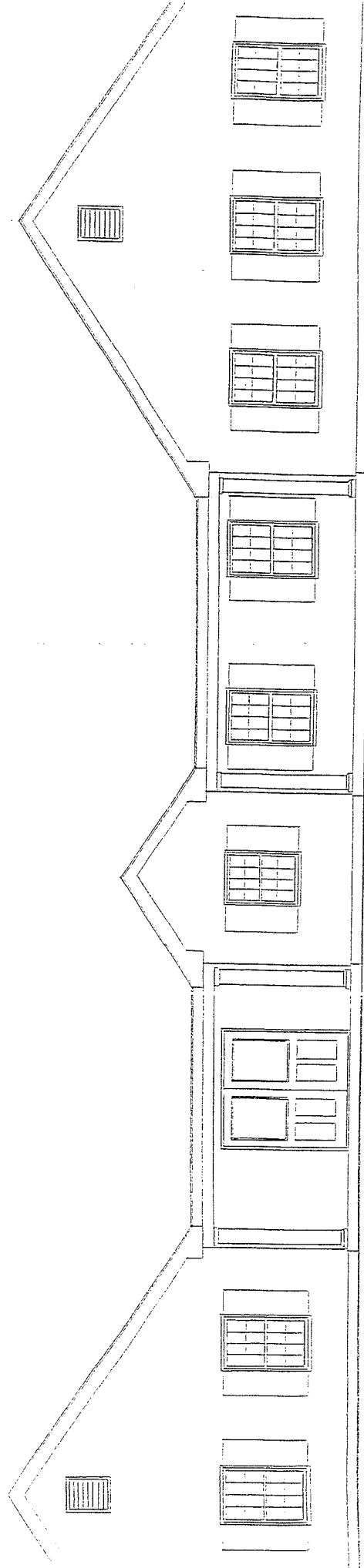
month/day/year

Farmland Preservation Program

- PRESERVED EASEMENT
- EXCEPTION AREA
- PRESERVED EASEMENT / NR
- EXCEPTION AREA / NR
- FINAL APPROVAL
- PRELIMINARY APPROVAL
- ACTIVE APPLICATION
- 8 YEAR PRESERVED
- TARGETED FARM
- INACTIVE APPLICATION
- NO CORRESPONDING DATA

- #### State Planning Areas
- (PA1) METRO
 - (PA2) SUBURBAN
 - (PA3) FRINGE
 - (PA4) RURAL
 - (PA4B) RURAL ENV SENS
 - (PA5) ENV SENS
 - (PA5B) ENV SENSITIVE BARRIER IS
 - (P10) PINELANDS
 - PARK
 - MILITARY
 - NEW JERSEY MEADOWLANDS
 - WATER
 - ELLIS ISLAND-NJ
 - ELLIS ISLAND-NY
- #### Base Map
- County Boundaries
 - Municipal Boundaries
 - Highlands Planning Area
 - Highlands Preservation Area
 - Pinelands Area
 - Green Acres Preserved Easements

Schedule "B"



01.14.14
FLOOR

TP

Tom Peterson • ARCHITECT

6 COUNTRY LANE • HOWELL • NEW JERSEY 732-730-1763

NJ ARCH. LIC. NO. AI 22201 FAX 732-730-1783

REVISIONS